FEB 2 3 1998

PUBLIC ACCESS TO THE WATERFRONT / ... INVENTORY, ANALYSIS, POLICY

A sub-component of the Town-wide Waterfront Management Plan prepared in cooperation with the New York State Department of State Coastal Zone Management Program

TOWN OF EAST HAMPTON PLANNING DEPARTMENT

FINAL REPORT OCTOBER 1991

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ACKNOWLEDGEMENTS

The Planning Department would like to thank the members of the public who contributed their time and local knowledge to the preparation of this report. Their original submissions are reproduced in the Appendices of the report and the majority of their recommendations and observations have proven invaluable and been incorporated into the report. The cooperation and technical support provided by several public agencies is also appreciated, most notably the New York State Department of State and the State and County Parks representatives in the Town. Finally, the extra efforts provided by the Planning Department and Planning Board clerical staff are immensely appreciated.

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INTRODUCTION

Pursuant to the State Waterfront Revitalization and Coastal Resources Act, the Town of East Hampton is preparing a Local Waterfront Management Plan in cooperation with the New York State Department of State. The Waterfront Management Plan in its entirety is a comprehensive inventory and analysis of coastal resources including groundwater, fish and wildlife, commercial fishing, public access and many others. Each of 44 State designated Coastal Management Policies are refined in the local plan to reflect the local needs of the community and its resource inventory.

This report is one component of the larger Waterfront Management Plan and focusses on the two policies that address public access to the waterfront.

The report includes an Inventory and Analysis of the types of public access available in the Town, the services associated with these access points, the environmental conditions that constrain our use of them and numerous recommendations regarding the need for more access points, the need for placing restrictions on some access points, or for providing additional services. Also included are the two policies, Policy 19 and Policy 20, that specifically target public access to the waterfront in the Waterfront Management Plan. A summary section, indicates generally how the policies and recommendations can be implemented.

Broad public consultation, as described in the Inventory and Analysis, was used in the preparation of the draft report that was issued April 15, 1991. All individuals, agencies and groups who contributed to its development were sent prior notice of a Planning Board public hearing to consider adoption of the draft report into the Comprehensive Plan. The public hearing was held on May 22, 1991 with the record held open until June 5, 1991 to allow time for additional comments. Written comments are contained in Appendix C of this report.

A June 19, 1991 Planning Department memorandum, also provided in Appendix C, summarized all written and verbal comments and suggested revisions to the report. These revisions have been incorporated into the final document which is proposed for adoption into the Comprehensive Plan of the Town of East Hampton.

INVENTORY AND ANALYSIS
OF PUBLIC ACCESS OPPORTUNITIES

INVENTORY AND ANALYSIS

OF PUBLIC ACCESS OPPORTUNITIES

Public access to the waterfront in the Town of East Hampton is widespread and highly variable with respect to the types of access and the services associated with them. A Town-wide inventory of these accesses is presented in several tables (Table 1 Public Access Summary: Type of Access; Table 2: Public Access Summary: Services; Tables 3A, 3B, 3C: Public Access to Water Related Recreation and Commercial Fishing Resources) and on the Map entitled Public Access Opportunities.

The term "water-related recreation and commercial fishing resources" used in Tables 3A, 3B, and 3C includes all those activities (boating, swimming, fishing etc.), services (boat launches, docks, parking facilities etc.) and features (scenic overlooks, trails, beaches, wetlands etc.) that provide enjoyment and utility to the public. This term purposely includes "commercial fishing" resources to recognize that just as many nesting birds on our beaches are endangered or of special concern, the commercial fisherman and baymen of East Hampton are themselves becoming an endangered species. While their needs are addressed in other policies of the Waterfront Management Plan, they are a stalwart tradition in our local economy and deserve special consideration on access for their vehicles and equipment.

As the Public Access Opportunities Map describes, there are 66 general areas of waterfront access in the Town and 239 actual points of access to the water itself. For instance, Barcelona Neck is an area providing access to the waterfront that includes several specific access points such as road-ends and overlook sites. All public access points utilize public land whether a public road-end, Trustee lands and waters, Town, County or State Parklands or publicly operated docks. Appendix A lists the place names for each access area and the access points within it.

Except for Gardiners Island (Reach 12), which is privately owned, each Reach within the Town provides at least 4 access points (Reach 11) and up to 37 access points (Reach 2) to the water. Thus a generalized, though superficial, assessment of available accesses indicates that they are abundant. However, the inventory method which lists all points of access to the water can inflate the actual number of access points. For instance, in Reach 10, Access Area 61 - Napeague Beach there are 19 access points where there were once only 3 or 4; the remaining points are new breaks in the primary dune caused by unrestricted four wheel drive vehicles. In several other local areas though, access for particular uses such as clamming, surfing, and bathing for example, is insufficient. Some traditional access points, and several publicly owned bottomlands and waterfront areas, have

also been lost to private developments, in Wainscott, Napeague, the Atlantic shoreline, and Gardiners Bay. The most disturbing example of this phenomenon is Wainscott Pond, wholly owned by the Town Trustees, yet entirely surrounded by private land.

The inventory assesses the opportunities for public access to the waterfront, the adequacy of the existing access points and recommends where improvements and additional accesses can be established.

INVENTORY METHODOLOGY

The public access inventory was compiled in a series of steps. The initial set of data was compiled using the Town of East Hampton's Trails Plan and Trails Map, aerial photographs and field inspection by community members with extensive local knowledge. This data set can be found in Appendix A. All public access points were inventoried according to a) type of access, b) services, c) environmental constraints and d) documented conflicts among resource users. Within each Reach the inventory also considered where additional accesses were needed to the waterfront.

All of the above information contributed to a set of recommendations regarding the need for more access points, the need for placing restrictions on some access points or for additional services.

Public Consultation

A draft map and a set of summary tables were compiled and sent to several involved public agencies and public organizations for comment. The organizations canvassed included:

New York State Parks Eastern Long Island Region
Suffolk County Parks Department
Amagansett Citizens Advisory Committee
Wainscott Citizens Advisory Committee
Springs Citizens Advisory Committee
Montauk Citizens Advisory Committee
Group for the South Fork
The Nature Conservancy
Accabonac Protection Committee
East Hampton Baymens Association

Amagansett Sport Fishing Association

- George Larsen

- Peter Liss
- Sue Fileppa
- Amy Turner
- Howard Lebwith
- Bob Guarino
- Kevin McDonald
- Sara Davidson
- Betsy Perrier
- Stuart Vorpahl
- Brad Loewen

George W. CampbellThomas Sweeting

A public meeting was held on March 9, 1990 to discuss the draft map and recommendations. In addition to those who received the draft map and recommendations many other individuals and organizations were present or represented at the public meeting including:

Northwest Alliance Harbormaster Town Clerk Montauk Moorland Association Surf Rider Association Zoning Board of Appeals

Concerned Citizens of Montauk Seacrest Enterprises Association Inc.

Town Councilors

- Stuart Vorpahl - Bill Taylor - Fred Yardley - Bob Guarino - Bob Guarino

- Valerie Scorsone - Lillian Diskin - Carol Morrison - Dick Mendelman - Jobette Edwards - Nancy McCaffrey - Tom Ruhle

Job Potter Cile Downs Chip Duryea

Written correspondence from several individuals and organizations was also received including The Nature Conservancy, the Long Island Divers Association, Inc., The Group for the South Fork, Bob Guarino, the Amagansett Sport Fishing Association, the Wainscott Citizens Advisory Committee and the Okeanos Ocean Research Foundation. All written public comments can be found in Appendix B.

As noted in the introduction, all of the above participants were sent prior notice of the public hearing held before the Planning Board to consider the adoption of the Access Plan into the Comprehensive Plan. Appendix C contains all written correspondence received at the May 22, 1991 public hearing as well as memoranda sent to the Town Board, Town Trustees, Chief of Police and public review participants requesting their comments on the report, and the June 19, 1991 Planning Department memoranda summarizing this input.

INVENTORY STRUCTURE

The Planning Department and the Waterfront Advisory Committee reviewed the responses, concerns and recommendations provided at the public meeting. From this review, and with additional research, the final map, inventory and recommendations were prepared.

Type of Access

The "Type of Access" inventory (Table 1) describes each access point according to how you can reach the waterfront. For instance, some accesses provide only pedestrian access to the water, others allow passenger vehicles to reach the beach at a road-end and some accesses require the use of a 4-wheel drive vehicle. Another type of access, bluff overlook, provides visual access to the water front but often not physical access to the water itself. Also included in the Type of Access table is an inventory of beaches, boat launching ramps and public docks.

Services

The inventory of Services, described in Table 2, includes an assessment of parking areas (whether large, small or equipped with handicapped spaces) and the availability of bike racks, restrooms and comfort stations.

Environmental Constraints

The types of environmental conditions that constrain certain types of access are provided in Tables 3A, 3B and 3C, Public Access to Water Related Recreation and Commercial Fishing Resources. They include nesting sites for endangered species such as the piping plover and least tern, sensitive vegetation and habitat such as salt marshes and dunelands, bluff erosion, and endangered plant species.

Documented Conflicts Between Resource Users

Also described in Tables 3A, 3B and 3C are documented conflicts between the users of the resource. The majority of the conflicts concern inappropriate use of off-road vehicles. Documentation describes off-road vehicles disturbing endangered species nesting sites, driving over fences that surround nesting sites, destroying fragile habitat, such as salt marshes or dunelands, creating breaks in the primary dune, eroding steep bluffs or disturbing beachgoers. Nesting sites for terms and plovers are also disturbed by walkers and dogs. Finally, intense vehicular use and overnight camping in the Montauk County Park as well as illegal camping beside Oyster Pond has contributed to high septic loadings, trash generation and negative impacts to endangered plant species and special concern amphibian species in these two areas.

RECOMMENDATIONS

A set of Town-wide recommendations and a set of recommendations specific to individual access areas were developed through analysis of all of the above information.

Many interests, sometimes competing and other times not, had to be balanced in order to recommend certain restrictions. For instance, unrestricted beach vehicle access and endangered species nesting areas are entirely incompatible. Nesting areas, such as those located at Goff Point in Reach 4, are therefore fenced and beach vehicles are restricted from these areas during nesting periods (April 1 - August 15). Where beaches are particularly narrow, or where fences have been repeatedly run over by off-road vehicles, the recommendation is to close the access altogether and provide an alternative access elsewhere, such as at Louse Point in Reach 3.

Off-Road Vehicles (ORV's) Recommendations

Recommendations in Tables 3A, 3B and 3C use the acronym "ORV" to refer to vehicular use of the beach by motorized vehicles of any kind, where four wheel drive trucks are the most common.

The recommendations regarding off-road vehicles recognize that there is a need for direct vehicular access to the water for some purposes, particularly commercial fishing. The recommendations also recognize that damage has resulted from the irresponsible actions of some, but not all, off-road vehicle enthusiasts, i.e. the "joy-riders" who are ignorant or uncaring of the impact of their actions. As with many common property resources the irresponsible actions of a few jeopardize the benefits to be derived from the resources to other users.

A list of education and enforcement recommendations were developed (see below) to deal with these problems. However, these are interim recommendations that should be periodically reviewed to determine their effectiveness and to make adjustments which may be necessary. The rationale for restrictions on beach vehicle access is clearly provided in the scientific literature. Leatherman and Godfrey (1979) report that

"There is <u>no</u> carrying capacity for vehicular impacts on coastal ecosystems. Even low-level impacts may result in severe environmental degradation...dunes can be quickly de-vegetated by vehicular passage, resulting in blowouts and sand migration" (emphasis in original).

Thus there is justification to regulate, monitor and modify the use of vehicles in coastal environments. This is particularly important because the number of beach vehicles and beach vehicle permit-holders is increasing. In 1989 East Hampton issued 1,500 beach vehicle permits, New York State issued 5200 and Suffolk County issued 8741. While not all of these permit holders will use East Hampton beaches, the Town is a State-wide and County-wide resort destination, the Town's population is increasing and, with many other Towns closing their beaches to off-road vehicles,

demand for beach vehicle access is likely to remain high or increase. Thus, in addition to the endangered species nesting area beach closure recommendations and the education and enforcement recommendations provided below the following general recommendations are offered:

- * Expand existing daytime (10:00am to 6:00pm) beach vehicle restrictions between June 1 and September 15 to all ocean beaches and all bay beaches to reduce overall user conflicts.
- * Restrict the time period for obtaining a permit to period between January 1 and April 1, similar to the State Parks approach.
- * Require County and State Parks beach vehicle users to obtain a Town beach vehicle permit to ensure a consistent level of education exposure among all beach vehicle users.

Endangered Species Nesting Sites - Beach Closure Recommendations

There are many nesting areas throughout the Town that are commonly used by endangered, threatened or special concern bird species for nesting. These areas and the species who use them are described in the report entitled Flora and Fauna of the Waterfront, Inventory, Analysis, Policy released May 15, 1991. Tables 3A, 3B and 3C below describe those access areas where conflicts have been documented between bird nesting areas and people using the access. Recommendations are made in these Tables that are specific to the access and nesting birds of concern. Recommended dates for beach closures near nesting areas are between April 1 and August 15. It is recognized that the birds customarily return to the same general areas but that fencing and beach closure recommendations must be flexible to allow for yearly shifts in nesting sites.

Ideally, bird nesting areas should be closed completely and the birds should not be disturbed by humans at all. However, there is a recognized human need to get to the waterfront for recreational or commercial fishing pursuits. The balance between these interests must therefore ensure that adequate access exists in alternative areas, that adequate area surrounds the nesting sites to ensure successful reproduction, and that the birds are disturbed to the minimum extent possible.

As a result, all nesting sites are now fenced, however, the extent of the beach closure depends on the site. In some cases, where the beach is very narrow, alternative access points are available and beach vehicle access is unnecessary. Examples of such circumstances are Goff and Gerard Points in Napeague and Accabonac Harbors respectively. Minimal pedestrian access may be

appropriate in some of these areas such as Gerard Point, but education of beach users is an important component of such a strategy. In other situations, along Napeague Beach on the Atlantic Shoreline for instance, there are numerous alternative access points and a complete 24 hour closure is recommended. For the combined use of beaches by vehicles and nesting areas to allow successful bird reproduction, the education and enforcement recommendations noted below are essential. In addition, it is appropriate to require that all fenced areas be equipped with reflectors to minimize the danger of night time disturbance.

Education Recommendations

The following five recommendations target education of beach vehicle users primarily but also include walkers and other beachgoers:

- a) Prepare educational brochures to be distributed with each beach vehicle permit.
- b) Prepare a <u>Beach Vehicle Safety Course</u> and require permit holders to take the course; use fees from the course for beach/dune restoration.
- c) Prepare maps of acceptable routes for ORV's.
- d) Prepare a beach vehicle awareness/safety course for school children.
- e) Prepare signs that inform vehicle users, beachgoers and beach walkers of environmental sensitivity and "rules of conduct" for access points: 3, 10, 23, 25, 32, 37, 48, 50, 55, 56, 59-64, 66. An example of such a sign is provided in Figure 1.
- f) Update existing map of Town parks and recreational facilities that provides a list of acceptable bathing areas to minimize the need for signs at access points.

Figure 1 - Sign for Environmentally Sensitive Access Points

This is an environmentally sensitive area, please observe the following rules of conduct:

- * Respect and stay away from all areas fenced or posted for protection of wildlife.
- * Do not approach or linger near nesting areas.
- * Keep your pets leashed or ensure that they do not disturb nesting areas.
- * Don't leave or bury trash or food scraps on beaches. Garbage attracts predators which may prey upon eggs or chicks.
- * Duneland vegetation is destroyed by pedestrian and vehicular traffic.
 - * Drive only in designated areas: along one set of wheel tracks near the water line.
 - * Allow breaks in the dune to revegetate: do not walk, drive or picnic in the beachgrass.

Enforcement Recommendations

The following five recommendations target enforcement of existing and proposed regulations:

- a) Increase fines for abuse of beach vehicle regulations.
- b) Increase funding for enforcement personnel and equip them with off-road vehicles.
- c) Develop a "Citizen-watch" program for beach vehicle enforcement. Comments at the public hearing before the Planning Board strongly supported this recommendation. Two organizations, the Nature Conservancy and the Montauk Surf Caster Association noted that they have individuals available to participate. Planning Board member Clifford has also noted that he knows other interested individuals.
- d) Make beach vehicle driving specific to driver and his/her license rather than the vehicle.
- e) Disallow "all-terrain" vehicles from all State and County parks.

Several areas within the Town were specifically noted by members of the public as in need of the most enforcement. They include:

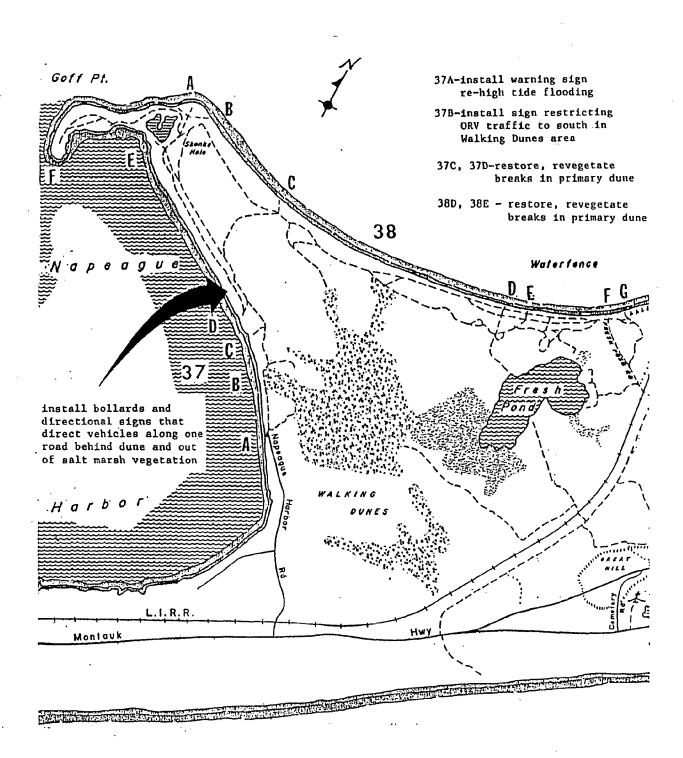
- a) Restrict ORV traffic from the Walking Dunes entirely. Install a warning sign at the end of Napeague Harbor Road (37A) indicating that the area contains fragile habitat and that the upper beach and road behind the dune are susceptible to flooding at high tide. Install bollards and directional signs that direct vehicles along one road behind the dune and out of the salt marsh vegetation. Close Access point 37D (the flooded washout) and vegetate the area to dampen flooding. Figure 2 illustrates these recommendations as well as other specific recommendations in this area.
- b) Block Island Sound-Montauk County Park: Confining overnight camping to regulated areas and limiting overall numbers.
- c) Downtown Montauk/Rheinstein Park/Ditch Plains: Restricting ORV's from beach and from tearing up the bluff and dunes.
- d) Napeague State Park: Restricting ORV's to one, two or three points of access to the beach. Fencing and revegetating areas in the dunes that have been denuded by ORV traffic.

Recommendations for Individual Access Points

Each of 239 waterfront access points (road-ends, trails, docks etc.) within 66 general waterfront access areas (Barcelona, west Lake Montauk, Georgica Pond etc.), are described on the Public Access Opportunities Map. Tables 3A, 3B, and 3C separate the Town into three geographic regions. Table 3A specifies recommendations for Gardiners Bay, Northwest, Three Mile and Accabonac Harbors. Table 3B specifies recommendations for Napeague Bay, Napeague Harbor, Lake Montauk and Block Island Sound. And, Table 3C specifies recommendations for the Atlantic Shoreline: Montauk to Wainscott. Detailed recommendations and the rationale for each is provided for each access point that is in need of improvements, restrictions, management or additional accesses. The reader is referred to these Tables for a full examination of the individual recommendations, however some illustrative examples follow.

In some areas, for instance Reach 1, Access Point 7B, Hedges Bank (Wood Landing), an access point has been closed through the unauthorized installation of a berm. The recommendation is to remove the berm to allow emergency vehicle access.

Figure 2 Napeague Harbor East Access Recommendations



Another example illustrates where an additional access, service improvements and multiple use can be accommodated. As described on Table 3B, Reach 4, Access Area 32, the road to Cherry Point within Napeague State Park is presently closed to the public. The abandoned Fish Factory Pier is also in need of repair. The recommendation at this site is to remove existing navigation hazards and provide a small parking area and public boat launch at the old Fish Factory Pier.

Further to the east, however, it is recommended that access points 32C and 32D remain as low impact pedestrian access areas. This area is relatively undisturbed and, if water access and a boat launch can be restricted to the already disturbed Fish Factory Pier, then the remainder of this area can continue to provide upland wildlife habitat and low-impact pedestrian access to the water and park interior.

A final example, as described in Table 3C, Reach 10, Access Area 61 "Napeague Beach", there are 19 breaks in the primary dune where there were once only 3 and many newly created roads throughout the double dune system south of Montauk Highway. Unrestricted off-road vehicle use in this area has caused widespread habitat destruction. The breaks in the primary dune render the entire Napeague area vulnerable to erosion and flooding in the event of severe storms. Access to the beach can be adequately provided by 3 access points and "joy-riding" in the dunes should be prohibited with physical barriers, signs, enforcement and Town-wide education programs.

Service Recommendations

Most of the recommendations on the Tables 3A, 3B and 3C relate to additional accesses, environmental constraints and documented conflicts. However, there are several "service" recommendations such as installation of park benches for sunsets, installation of dry toilets or comfort stations and addition of bike racks that are specific to particular access points.

Several Town-wide service recommendations were also developed based on problems and service needs common to all access points. They include the following:

- * Coordinate with Town Supervisor and Parks Department regarding placement and pick-up of receptacles for recyclable materials and trash.
- * Establish a Town-wide marine park network with primitive camping facilities at Cedar Point County Park, Napeague State Park and Culloden (if acquired). The term "marine park" refers to a park where access to the park is from the water by small watercraft (canoes, kayaks, small sailboats) rather than overland.

- * Establish upland beach parking in Villages with a shuttle bus service to ocean beaches.
- * Provide additional bike racks at all access points.
- * Retrofit existing chemical toilets and flush systems near sensitive wetland and surface waters to composting or low-water sanitary facilities. The Inventory indicates that facilities at bay beaches are in the most need of upgrading and are also located next to more sensitive wetland systems than the ocean beaches. Therefore budget priorities should focus on these facilities.
- * Install outdoor rinse showers with water saving fixtures at major public beaches when upgrading facilities.

Table 1 - PUBLIC ACCESS SUMMARY: Type of Access

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Reach Total Total
of # of
Access Access
Areas Points

Type of Access

				Passenger Vehicle & 4-Whl Drv.	drive	Pedes- trian			Boat aunching Ramp	Dock	Moor- ing Area
	1	6	24	11	12	20	4	7	2	2	1
	2	15	37	27	12	35	1	26	5	2	5
	3	10	19	14	9	19	0	9	4	0	5
	4	8	27	8	21	26	2	22	4	0	1
	5	3	12	3	8	12	3	5	1	0	0
	6	7	18	14	8	16	0	10	2	4	1
)	7	3	27	0	23	27	3	26	0	0	0
	8	2	8	0	6	8	1	6	0	0	0
	9	3	17	12	6	17	1	11	0	0	0
	10	7	46	4	20	46	0	46	0	0	0
	11	2	4	4	3	4	0	3	0	0	0
	12	0	0	0	0	0	0	0	0	0	0
		66	239	97	128	230	15	171	18	8	18

Table 2 - PUBLIC ACCESS SUMMARY: Services

	•			:	9		14 00 14 00 14
	Total # of Access Areas	Total # of Access Points	Large* <u>Parking Lots</u>	Small** Parking Areas	Handicapped Parking	Bike Racks	Kestrooms/ Comfort Statio
Reach 1	Q	24	8	1.2	0	-	~
Reach 2	15	37	2	1.5	1	0	2
Reach 3	10	19	м	14	2	0	2
Reach 4	ထ	27	0	7	0	0	
Reach 5	m	12	0	7		0	0
Reach 6	7	18	m	6 .		~	m
Reach 7	m	2.7	1	-	0	8	-
Reach 8	٧.	ω	(same lot serves access in Reach 7 and 8)	0	0	prod.	0
Reach 9	m	1.1	4	co	-	m	ω
Reach 10	7	46	٣	Ю	2	m,	m
Reach 11	2	4	1	7	0	,-4	, -
Reach 12	0	0	0	0	0	0	0
	1	-			1	1	
Total	99	239	20	75	8	13	16

* greater than 10 spaces ** less than 10 spaces, at road end, or along roadside

Table 3A - PUBLIC ACCESS TO WATER RELATED RECREATION AND COMMERCIAL FISHING RESOURCES:

	Recommendations (See Also Town Wide Recommendations)	*fence from April 1st- August 15th *fence pt. to NW Creek Channel *erect educational sign	*improve boat launch	*close access to Cedar Point spit from April 1st - August 15th	*remove sign	*remove berm to allow emergency vehicle access	*confine access to perimeter roads from April 1-August 15/ *fence colonies *request that Boys Harbor fireworks be scheduled after August 15th *erect educational sign	*add additional bike racks
Harbors	Conflict Documented	ORV's and walkers disturbing nests		ORV's and walkers disturbing nests	Private property sign erected on Town-owned land		ORV's, fireworks observers	
Gardiners Bay, Northwest, Three Mile and Accabonac Harbors	Additional Access Environmental Needed Constraint Documented	Nesting terns and plovers		Nesting terns and plovers			Terns & plovers nest on interior land and roads	
Gardiners Bay	Total # Number & Name of Addi of Access Access Area or Point Points	24 2C Northwest Creek County Park	5 Alewife Brook Road	6A&B Cedar Point County Park	37 7A Hedges Bank	7B Hedges Bank (Wood Landing)	10A-G Sammy's Beach	10A&11 Sammy's Beach/ Maidstone Park
	Total # of Access (Areas	Reach 1 6			Reach 2 15			

Table 3A (continued) - PUBLIC ACCESS TO WATER RELATED RECREATION AND COMMERCIAL FISHING RESOURCES: Gardiners Bay, Northwest, Three Mile and Accabonac Harbors

Recommendations (See Also Town Wid Recommendations)	*install sign: dangerous currents	*install park benches for sunsets	<pre>*install dry toilet comfort station; additional bike racks</pre>	*purchase land or obtain easement for access to side of Three Mile Harbor	*fence nesting areas from April 1st-August 15th	*obtain navigable access at launching ramp near mouth of Hog Creek	*fence colony, close access April 1st - August 15th
Conflict Documented	·				Minimal		ORV's driving over fences
Environmental Constraint Documented					Nesting plovers	Sheltered access needed near Hog Creek Pt.	Nesting plovers
Additional Access Needed				Dominy's Point: 18"C"		North end of Hog Greek	·
Number & Name of Access Area or Point	Kaidstone Park	12A/B Folkstone Drive/ Harbor View Drive	Gann Road	Hands Creek	Hog Creek Channel	Hog Creek	Gerard Park
Total # of Access / Points	11K	123	13	18	21	21	19 23B
Total # of Access o						·	Reach 3 10

*provide pedestrian access to Point

	And the second s		
OURCES: Recommendations (See Also Town Wide Recommendations)	*fence colony *relocate 24B to north of nesting area as pedestrian access *remove asphalt and restore Gerard Pt. *provide pedestrian access to point and future parking as indicated on Figure 2 *erect educational sign	*Close entire bayside of Gerard Drive to vehicles Apr 1-Aug 15	*close 25D to vehicles, remove asphalt, re- store Louse Point; (Allow vehicular access at 25c and erect sign: "All vehicles must enter & exit at this point"); parking can be expanded if end of road is moved to the south
Conflict Documented Resources: Harbors Conflict Documented Rec	ORV's driving over fences		
Table 3A (continued) - PUBLIC ACCESS TO WATER RELATED RECREATION AND COMMERCIAL Gardiners Bay, Northwest, Three Mile and Accabonac Harbors tal * Number & Name of Additional Access Environmental Conflict Access Access Area or Point Needed Constraint Documented oints	Nesting terns and plovers; road runoff entering harbor from old boat ramp; ramp too steep		Road (asphalt) and stormwater runoff entering harbor
ACCESS TO WATER RE Bay, Northwest, Th Additional Access Needed			
A (continued) - PUBLIC Gardiners Number & Name of Access Area or Point	24B Gerard Park		ZSD Lduse Point
of of		ć	
tal # Access reas			

Table 3A (continued) - PUBLIC ACCESS TO WATER RELATED RECREATION AND COMMERCIAL FISHING RESOURCES: Gardiner's Bay, Northwest, Three Mile and Accabonac Harbors

	Recommendations (See Also Town Wide Recommendations)	*purchase land or obtain easement for vehicular access to edge of meadow, pedestrian access to water for clamming	*apply day time (10:00am to 6:00pm) beach vehicle restrictions to bay beaches
	Conflict Documented	o abonac bottom s	Conflict between ORV's and beach-goers
	Environmental Constraint Documented	arbor access by boat to west side of Accabonac Harbor disturbs bottom lands more than pedestrian access	
())); (T))	Additional Access Needed	Accabonac Harbor West side	ding nding
	Total # Total # Number & Name of Access of Access Access Area or Point Areas Points	26"C" Accabonac	28-29 Barnes Landing Alberts Landing
	Total # of Access propriets		
	Total # Of Access Areas		

Table 3B - PUBLIC ACCESS TO WATER RELATED RECREATION AND COMMERCIAL FISHING RESOURCES:	Sound
FIS	land
IAL	13
OMMERC	Block
ND C	and
ECREATION A	Napeague Bay, Napeague Harbor, Lake Montauk, and Block Island Sound
ELATED R	rbor, La
ATER R	rue Ha
TO W	Napead
ACCESS	Вау,
PUBLIC	Napeague
3B -	
Table	

	Recommendations (See Also Town Wide Recommendations)	purchase easement across existing preserved féature.on SCTMf 0303-128-1-7.1 or obtain other suitable vehicular access to Napeague Bay from Cranberry Hole Rd	*provide vehicular access to old fish factory pier; *remove navigation hazards (piers low water; *improve as public boat launch *provide a 20 car parking area	*maintain Cherry Point trails as low- impact pedestrian access; *develop as marine park with primitive campground facilities	*take down private road sign; open road to harbor with road-end parking
Block Island Sound	Conflict Documented			* *	
Jake Montauk, and Block l	Environmental Constraint Documented		Road to access point		
Bay, Napeague Harbor, Lake Montauk, and	Additional Access Needed	vehicular and launching acess needed	vehicular and launching access needed	• .	Bayview is a public road but signs say private road
Napeague Bay,	Number & Name of Access Area or Point	32A Cedar Bush	32B Cherry Point (Fish Factory Pier)	Q.	Bayview Ave.
	Total # of Access Points	7.2	"	32CD	33A
	Total # Of Access Areas	Reach 4 B			

Table 3B (Continued) - PUBLIC ACCESS TO WATER RELATED RECREATION AND COMMERCIAL FISHING RESOURCES: Napeague Bay, Napeague Harbor, Lake Montauk and Block Island Sound

 					M1	
Recommendations (See Also Town Wide Recommendations)	*provide dry toilets, trash receptacles, telephone *provide additional parking	*install sign: Fragile habitat. Upper beach of Napeague Harbor and road behind dune susceptable to flooding at high tide	*install sign restricting vehicular traffic from Walking dunes entirely	*recently cut, revegetate	*restore, revegetate to dampen flooding; see recommendation for 37A above, also install bollards and directional signs to direct vehicles along one road behind dune and out of salt marsh vegetation (See Figure 2)	*close Goff Point with fencing April 1 - August 15; *erect educational signs
Conflict Documented		* *	.i. ♥ 22	ORV's; dogs *r	r da da da d	∵ყ.ძ. მ თ * *
Environmental Constraint Documented	Intense summer use by windsurfers	Access to Napeague Harbor East which is flooded at high tide	(Erosion: habitat destruction in Walking Dunes	Erosion; habitat destruction	Flooding at high tide; ORV's using road behind dunes and driving on salt marshes	Nesting terns and plovers;
Additional Access Needed		Н Н			· ·	
Number & Name of Access Area or Point	34C Lazy Point	37A Napeague Harbor Rd. End	37B (Walking Dunes access point)	37C Napeague Harbor East	37D Napeague Harbor East	37F Napeague Harbor East (Goff Point)
Total # of Access Av	m	m	'n	, m	'n	'n
Total # of Access Areas						

Table 3B (Continued) - PUBLIC ACCESS TO WATER RELATED RECREATION AND COMMERCIAL FISHING RESOURCES: Napeague Bay, Napeague Harbor, Lake Montauk and Block Island Sound

	Recommendations (See Also Town Wide Recommendations)	*revegetate 38D,E, fence 38A; maintain	access at 38B,C,F	<pre>*close road behind dune with fencing; revegetate</pre>	*State Parks have revegetated/prohibit ORV's on bluff	*clear a footpath 30-40 feet back of bluff from Flaggy Hole (38H) to Quince Tree Landing (39A)	*secure legal access in SE Fort Pond Bay; *secure vehicular access to beach (Culloden); *maintain informal beach access for public, no major service improvements actiloden is acquired, develop as marine park with primitive campground facilities
-	Conflict Documented	38A and D recently cut by ORV's			ORV's		
	Environmental Constraint Documented	Nesting terns and plovers at 38A		Road behind Napeague Bay dune: habitat destruction by ORV's	Erosion of bluff		Dory Rescue Squad needs access to Fort Pond Bay; Commercial fisherman need "weather" access to water at SE shoreline
	Additional Access Needed					ţ .	Additional boat launch and water access needed on SE Fort Pond Bay and Culloden Point
	Number & Name of Access Area or Point	38ADE GOff Point to Flaggy Hole		38B-G Goff Point to Flaggy Hole	38G Flaggy Hole	38H-39A Flaggy Hole Quince Tree Landing	41 Fort Pond Bay
	Total # of Access Points						1.2
	Total # of Access Areas						m v1
							Reach

RESOURCES:	
FISHING	pur
OMMERCIAL	Napeague Bay, Napeague Harbor, Lake Montauk and Block Island Sound
AND	Block
ATION	and
RECRE	fontauk
RELATEI	Lake M
WATER	Harbor.
S	d
ACCESS	Napeagi
PUBLIC	e Bav.
ı	200
Table 38 (Continued) - PUBLIC ACCESS TO WATER RELATED RECREATION AND COMMERCIAL FISHING RESOURCES	Nape
38	
Table	

ed (SecommendationAide Recommendations)	*Separate parking area from spoil area with pilings; vegetate upland spoil area; *provide access for dredge spoil to be deposited; *install snow fencing with filter cloth to reduce wind movement of sand	*close access to vehicular traffic; *install pilings to restrict vehicles but maintain pedestrian access; *install sign clarifying that beach access is through County Park (48A) *study feasibility of removable posts on east jetty	*develop plan for continuous walkway along west side of Coonsfoot Cove	*45E needs to be moved in accordance with Piscotto agreement; then improve parking
Conflict Documented				
Addițional Access Constraint bocumented	severe erosion (water scouring and wind)	Conflict between ORV's and beachgoers	Coordinated water- front access along Coonsfoot Cove	
Access Area or Pfint	44A Lake Montauk West Side of Inlet	44B Lake Montauk East Side of Inlet	45 Lake Montauk (Coonsfoot. Cove)	45E North Lake Montauk
ofotal # Points				
Total Access Areas	Reach 6 7			·

use

Table 3B (Continued) - PUBLIC ACCESS TO WATER RELATED RECREATION AND COMMERCIAL FISHING RESOURCES: Napeague Bay, Napeague Harbor, Lake Montauk and Block Island Sound

Recommendations (See Also Town Wide Recommendations)	*purchase land or obtain easement for access to West Lake Montauk, south of Star Island	*purchase SCTM #300- 7-3-8/2-9.4, 9.22, 9.23	*keep closed	to between 50-75 at any time; limit numbers using a reservation (lottery) system; require vehicles to access beach through County Park; seal holding tanks on the way in	*prohibit overnight camping, reduce/ restrict vehicular
Conflict Documented			severe breach in dune	septic waste; trash	septic waste; trash
Environmental Constraint Documented	46 is a drainage ditch, no usable access in this area	Town does not own under- water land in front of 47D	closed for revegetation and erosion control	Extremely heavy vehicular use in summer	Extremely heavy vehicular use in summer
Additional Access Needed	West Lake Montauk of South of Star	Actual access is Tow taken on lot water north of Town 47D	c] ar	E u	
Number & Name of Access Area or Point	West Lake Montauk	47D East Lake Montauk	48B Montauk County Park	48A-D Montauk County Park	50A-H Shagwong Pt. to Oyster Pond
Total # Nof Access Ac	46	4	48	84	27 50
Total # of Access Areas					Reach 7 3

Table 3B (Continued) - PUBLIC ACCESS TO WATER RELATED RECREATION AND COMMERCIAL FISHING RESOURCES: Napeague Bay, Napeague Harbor, Lake Montauk and Block Island Sound

*close road around Oyster Pond to vehicular traffic	*repair footbridge, blaze new footpath to connect west to the footpath serving accesses 52D and 52E.	*fence area 1/2 mile wide around haul-out area from mid-Nov. to April 30; allow pedestrian access to viewing area along bluff top as desig- nated by Okeanos Research Foundation
illegal camping next to Oyster Pond; dumping of "porta-potty's" into Oyster Pond		trucks, dogs, people on beach cause changes in seal behavior
Endangered plant species and special concern amphibian species		Harbor and grey seal haul-out area
52A-E Oyster Pond	52C Oyster Pond	SiA-C False Point
	Endangered plant species illegal camping * and special concern next to Oyster amphibian species Pond; dumping of "porta-potty's" into Oyster Pond	-E Oyster Pond Endangered plant species illegal camping * and special concern next to Oyster amphibian species Pond; dumping of "porta-potty's" into Oyster Pond **

Table 3C - PUBLIC ACCESS TO WATER RELATED RECREATION AND COMMERCIAL FISHING RESOURCES: Atlantic Shoreline: Montauk to Wainscott.

Recommendations (See Also Town Wide Recommendations)	<pre>*maintain as low impact area open to hiking, surf casting etc.; no vehicles; *provide an upland parking area closer to Turtle Cove (54A)</pre>	*investigate the opportunities, liabilities and necessary services for a surfing beach at multiple points within Reach 8k9 (include State and County parkland agencies in the investigation)	*pedestrian access only; eliminate beach traffic at Ditch Plains *needs more enforcement	*restrict ORV traffic from Park entirely
Conflict Documented				
Environmental Constraint Documented	narrow beach, eroding bluffs	indicate sanitary facilities inefficient use of parking area		ORV's tearing up moorlands
Additional Access Needed		H	·	
Number & Name of Access Area or Point	54A-F Camp Hero	55A Ditch Plains (west of trailer park)	55A-G Ditch Plains	SSE,F,G Rheinstein Park
Total # of Access Points	ω	11		
Total # of Access Areas	Reach 8 2	Reach 9 3		

Recommendations (See Also Town Wide Recommendations) *clean up concrete on beach east of 55B	*install dry toilets	*acquire/obtain ease- ment for pedestrian bluff overlook access	*restrict vehicular access to 56C (So. Edison) and 56I (So. Eton)	*add additional bike racks, park benches, trash receptacles *install 5-6 wooden planks in park to intercept stormwater and decrease gullying	*close beach to all ORV's April 1 - Aug. 15, except for commercial fishermen *fence colony *erect educational signs	*close beach to all ORV's April 1st- August 15th, except commercial fisherman & emergency vehicles *fence colony *erect educational signs
Conflict Documented			ORV's & beachgoers dune erosion			ORV's driving over fences
Environmental Constraint Documented				Erosion and gullying of main path to beach	Nesting terns and plovers	nesting terns & plovers east of Dolphin Drive
Additional Access Needed 1)	s ts)	Shadmore 55"H"	¥	igo .	M	n n
Number & Name of Access Area or Point 55B Ditch Plains (East Deck Motel)	55A,B,D Ditch Plains (parking lots	55 Ditch Plains	56A, B, D, E-H Downtown Montauk	57 Old Montauk Hwy.	59 Navahoe Lane	60A&B Dolphin Drive/ Atlantic Drive "White Sands"
Total # of Access Points						74.
Total # Of Access Areas						Reach 10 7

ing;

*erect sign alerting vehicles to erosion control effort, direct vehicles to Napeague La. 1,000 ft. to the west

*allow parking at Marine Blvd. turnaround.

Table 3C (Continued) - PUBLIC ACCESS TO WATER RELATED RECREATION AND COMMERCIAL FISHING RESOURCES: Atlantic Shoreline: Montauk to Wainscott

	Recommendations (See Also Town Wide Recommendations.)	*investigate develop- ment of bathing beach at Town owned property	(SCIM#300-130-2-10) *COORdinate w/ State Parks to maintain 3 access points; close off and revegetate other roads and	*establish narrower right-of-way for vehicles; restore	blow-out in dune with sand importa- tion, fencing and beach grass plant- ing;
•	Conflict Documented		ORV's driving throughout dunes		
	ss Environmental Constraint Documented		dune erosion and habitat ORV's driving destruction throughout du	dune erosion, flooding hazard	
	Additional Access Needed	Atlantic Shoreline			
	Number & Name of Access Area or Point	60C Atlantic Shoreline	61A-S Napeague Beach	62A Marine Blvd	
	Total # of Access Points				
	Total # of Access Areas				

Table 3C (Continued) - PUBLIC ACCESS TO WATER RELATED RECREATION AND COMMERCIAL FISHING RESOURCES: Active to Wainscott

Conflict Documented Additional Access Environmental Number & Name of Access Area or Point of Access Points of Access Areas

Recommendations)

(RecommendationAide

should be obtained to Georgica Pond through purchase of an easement; *open Village of East *additional access

assert right of pass-age over West End Rd. via SCTM# 301-15-5-17 *Trustees should for commercial fishermen

Hampton property
(SCTM#0301-15-5-21.1)

Georgica Pond (gut) 65A

nesting terns and plovers

*close beach to all ORV's April 1st-August 15th; (except emergency destructive to habitat vehicles and and nesting birds ORV's driving over fences; dogs; July 4th fireworks traffic very

all traffic for July 4th weekend; commercial fisher-man); fence colony *close beach to

*allow vehicle access to Georgica gut from line; install fence Beach Lane along 1 lane below debris to debris line to

to the east of the "gut" restrict access

29

Reach 11

~

65

Georgica Pond

east or west side of Georgica Pond

240

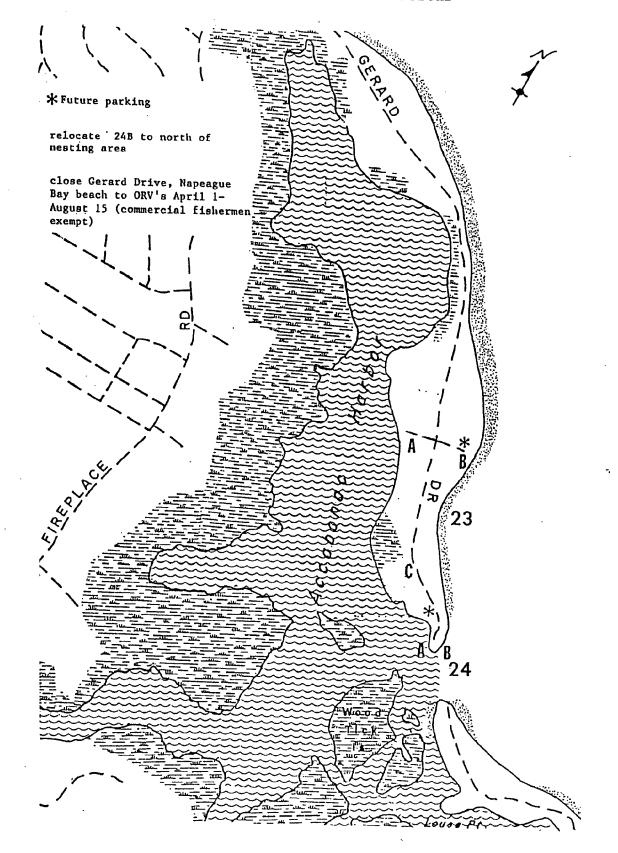
99

Town Wide Total:

Table 3C (Continued) - PUBLIC ACCESS TO WATER RELATED RECREATION AND COMMERCIAL FISHING RESOURCES: Atlantic Shoreline: Montauk to Wainscott

al # Total # Number & Name of Additional Access Environmental Conflict Documented Recommendations (See Also Town Wide eas Points Recommendations)	65B Georgica Pond (Montauk Hwy.)	#investigate drainage improvements at road end have #increase parking to 1000 feet north road-end *add bike racks	*acquire/obtain ease- ment for access to south end of Wainscott Pond *investigate right of Trustees to access pond by virtue of their jurisdiction over the pond itself	0 0 Gardiners Island
Total of Acce Points				0
Total # of Access Areas				Reach 12 0

Figure 3 Gerard Drive Recommendations



PUBLIC ACCESS POLICIES

PUBLIC ACCESS POLICIES

INTRODUCTION

As noted in the introduction to this report, there are two policies that focus on public access to the waterfront out of a total of 44 policies in the entire Waterfront Management Plan.

In order to maintain and focus attention on the relationship between this report and the overall Waterfront Management Plan, the numbers that designate the public access policies in the overall plan are used in this report. Thus, the two public access policies in this report are numbered 19 and 20 as they will be numbered in the entire Waterfront Management Plan.

POLICY 19 (ACCESS TO PUBLIC WATER-RELATED RECREATION RESOURCES)

PROTECT, MAINTAIN AND INCREASE THE LEVEL AND TYPES OF ACCESS TO PUBLIC WATER-RELATED RECREATION RESOURCES AND FACILITIES SO THAT THESE RESOURCES AND FACILITIES MAY BE FULLY UTILIZED IN ACCORDANCE WITH REASONABLY ANTICIPATED PUBLIC RECREATION NEEDS AND THE PROTECTION OF HISTORIC AND NATURAL RESOURCES. IN PROVIDING SUCH ACCESS, PRIORITY SHALL BE GIVEN TO PUBLIC BEACHES, BOATING FACILITIES, FISHING AREAS AND WATERFRONT PARKS.

EXPLANATION OF POLICY

The objective of this policy is to maintain or improve public access to existing public water-related recreational facilities. In doing so, this policy calls for achieving a balance among the following factors: the level of access to a facility, the capacity of a facility and the protection of natural resources. Facilities that will receive priority consideration for improved public access are existing public beaches, boating facilities, fishing areas and waterfront parks.

While the Town's overall policy must be to maintain and improve public access, we must balance our use with preservation of the plant and wildlife habitats of the beach, and the overall health of the shoreline ecosystem.

We are fortunate that the abundant public access that distinguishes East Hampton from our more populous neighbors can still be preserved. East Hampton Town still boasts magnificent expanses of unspoiled beaches and productive harbors which are sources of enjoyment to residents and tourists alike. However, we must guard against the encroachment of private development on our right of access to our beaches and harbors under State Law and the Dongan Patent, which grants in-common ownership to the Town Trustees; as well, the traditional accesses from trails and sand roads must be preserved and, in some cases, recovered.

The Inventory and Analysis of Public Access Opportunities lists and describes existing access points, types of access, and associated facilities. The Inventory and Analysis reveals that the existing availability of public access to the waterfront is sufficient in the public parklands within Reaches 1,2,3,4,5,7,9, and 10. In the other Reaches (6,8,11 and 12) and in localized areas within the Reaches with abundant parklands, some specific water bodies have very limited public access. Likewise, services and facilities within Reaches 2,6,9 and 10 are generally superior to such facilities in the remaining Reaches.

A comprehensive set of recommendations for improving these access facilities, adding additional access points, and applying restrictions to protect natural resources at certain access areas are provided in the Inventory and Analysis and on the Map entitled Public Access Opportunities. Town-wide recommendations concerning public education, enforcement and additional services are also in the Inventory.

Recommended public improvements are as diverse and specific as installing park benches for a particular view of the sunset to developing a marine park network with non-motorized water access and primitive camping facilities. See Tables 3A, 3B and 3C in the Inventory for specific locations of these and the other following examples. Other public improvements include drainage abatement structures, bike racks, parking facilities, toilets, boat launches, trash and recycling receptacles, waterfront walkways and removing navigational hazards.

Recommendations for habitat protection include fencing bird colonies, revegetation of disturbed areas, restricting vehicle access, removing asphalt and coordinating with other agencies.

Associated with habitat protection are education recommendations that include installing signs at designated areas, preparing educational brochures for distribution when obtaining a beach vehicle permit and preparing a course for beach vehicle users that is required before permit issuance.

Other recommendations target increased enforcement of existing regulations in specific areas throughout the Town and at specific times such as on holiday weekends and, based on previous experience, when the moon is full.

Opportunities for public access to and recreational use of the public-owned foreshore can also be significantly improved, through land acquisition as discussed in Policy 20.

Finally, several access improvements warrant further study such as the addition of a bathing beach on Town-owned property in Napeague, improving access and services for surfing on the Atlantic shoreline east of Ditch Plains, and the ownership and

related rights of public access to Wainscott Pond.

The implementation of these recommendations will require the cooperation and coordination of State and County agencies. For instance, limiting the number of overnight vehicles using the Shagwong Point, "Gin Beach" area in Reach 7 must be implemented and enforced by the County Parks Department. Enforcing vehicle restrictions in the Walking Dunes area in Reach 4 will require the cooperation of the State Parks system and developing a trash and recycling receptacle collection system necessitates Town and Department of Environmental Conservation cooperation.

The following guidelines will be used to determine the consistency of a proposed action in the waterfront zone with this policy:

- (1) The existing access to public water-related recreation resources and facilities shall not be reduced, nor shall the possibility of increasing access in the future from adjacent or proximate private or public lands/facilities to public water-related recreation resources and facilities be eliminated, unless in the latter case, estimates of future use of these resources and facilities are too low to justify maintaining or providing increased public access.
- (2) Any proposed project to increase public access to public water-related recreation resources and facilities shall be analyzed according to the following factors:
 - (a) The level of access to be provided should be in accord with estimated public use. If not, the proposed level of access to be provided shall be deemed inconsistent with the policy.
 - (b) The level of access to be provided shall not cause a degree of use which would exceed the physical capability of the resource of facility. If this were determined to be the case, the proposed level of access to be provided shall be deemed inconsistent with the policy.
- (3) The Town will not undertake or fund any project which increases access to a water-related resource or facility that is not open to all Town residents.

The following is an explanation of the terms used in the above guidelines:

- (a) Access the ability and right of the public to reach and use public coastal lands and waters.
- (b) Public water-related recreation resources or facilities all public lands or facilities that are suitable for passive

or active recreation that requires either water or a waterfront location or is enhanced by a waterfront location.

- (c) Public lands or facilities lands or facilities held by the State, County or the Town in fee simple or less-than-fee simple ownership and to which the public has access or could have access, including underwater lands and the foreshore.
- (d) A reduction in the existing level of public access includes but is not limited to the following:
 - (1) The number of parking spaces at a public water-related recreation resource or facility is significantly reduced.
 - (2) The service level of public transportation to a public water-related recreation resource or facility is significantly reduced during peak season use and such reduction cannot be reasonably justified in terms of meeting system-wide objectives.
 - (3) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
- (e) An elimination of the possibility of increasing public access in the future - includes but is not limited to the following:
 - (1) Construction of public facilities which physically prevent the provision, except at great expense, of convenient public access to public water-related recreation resources and facilities.
 - (2) Sale, lease, or other transfer of public lands that could provide public water-related recreation resources or facilities.
 - (3) Construction of private facilities which physically prevent the provision of convenient public access to public water-related recreation resources or facilities from public lands and facilities.

POLICY 20 (ACCESS TO PUBLICLY-OWNED LANDS ADJACENT TO THE WATER'S EDGE)

ACCESS TO THE PUBLICLY-OWNED FORESHORE AND TO LANDS IMMEDIATELY ADJACENT TO THE FORESHORE OR THE WATER'S EDGE THAT ARE PUBLICLY-OWNED SHALL BE PROVIDED, AND IT SHOULD BE PROVIDED IN A MANNER COMPATIBLE WITH ADJOINING USES. SUCH LANDS SHALL BE RETAINED IN PUBLIC OWNERSHIP.

EXPLANATION OF POLICY

The principal publicly-owned lands in the Town of East Hampton which are located adjacent to the foreshore can be summarized for each Reach as follows:

Reach	1	Barcelona Neck (NYS Dept. of Env. Cons.) Grace Estate Preserve (Town of East Hampton)							
		Cedar Point County Park							
Reach	Sammy's Beach (Town of East Hampton)								
		aidstone Park (Town of East Hampton)							
Reach 3 Town-owned properties at Louse Pt., Gerard									
	-	Fresh Pond							
n t									
Reach	4	Napeague State Park							
		Hither Hills State Park							
Reach	5	Hither Hills State Park							
		Hither Woods (Town of East Hampton, State and							
		County)							
	_								
Reach	6	Montauk County Park							
Reach	7	Montauk County Park							
		Montauk Point State Park							
Reach	8	Montauk Point State Park - Camp Hero							
	-								
Reach	9	Public Road-ends							
Reach	10	Napeague State Park							

In addition to the above, public access is provided at numerous public road-ends, Trustee lands and waters, Town, County and State Parkland and water bodies, and publicly owned docks. These lands and water bodies are located in all Reaches and are discussed in detail in the Inventory and Analysis. They are also shown on the Map entitled Public Access Opportunities.

Also described in the Inventory and Analysis are several areas within the Town where additional public access points are needed. Listed according to the Reach they are proposed in, these include:

Reach 2 - Western Shore of Three Mile Harbor; protected and navigable access to Hog Creek

Reach 3 - Western Shore of Accabonac Harbor

Reach 5 - Culloden Point

Reach 6 - Western Shore of Lake Montauk

Reach 9 - The Atlantic Ocean bluffs in the area known as Shadmore

Reach 11 - Georgica Pond and Wainscott Pond

Specific recommendations are made for purchase of these lands or for purchase of easements across them to provide public access to the publicly owned foreshore.

Publicly-owned lands referenced in the inventory shall be retained in public ownership. The sale of underwater lands, easements or leases on underwater lands to adjacent onshore property owners or to private individuals and corporations is inconsistent with this policy. Sale, easements and leases on underwater lands have historically been granted by the New York State Office of General Services. Such grants of underwater land represent a loss of public access to the publicly owned foreshore as well as a loss of access to publicly owned common property resources like shellfish, and are therefore inconsistent with both this policy and Policy 19.

Sale, easements or leases of public lands could only be consistent with these policies if they do not interfere with continued public use of the resources in the foreshore environment. For instance, continued public use would include maintaining access to shellfishing, providing a nursery area for future public shellfishing resources (or providing some percentage of the total harvest to the public), guaranteeing public access along the shoreline, and/or only if such agreements will not compromise water quality. The above alongshore access could include the creation of a publicly accessible boardwalk/promenade across the shorefront of adjacent commercial properties.

The following guidelines will be used to determine the consistency of a proposed action with this policy:

- (1) Existing access from adjacent or proximate public lands or facilities to existing public coastal lands and/or waters shall not be reduced. The possibility of increasing access in the future from adjacent or nearby public lands or facilities to public coastal lands and/or waters shall not be eliminated. Such reductions in access or elimination of future access shall be acceptable only where these actions are demonstrated to be of overriding regional or statewide public benefit.
- (2) The existing level of public access within public coastal lands or waters shall not be reduced or eliminated.

- (3) Public access from the nearest public roadway to the shoreline and along the coast shall be provided by new land use or development, except where
 - (a) it is inconsistent with public safety, military security, or the protection of identified fragile coastal resources,
 - (b) adequate access exists within one half mile, or
 - (c) agriculture would be adversely affected.

Such access shall not be required to be open to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the access.

- (4) Increased public access to coastal lands and waters shall be justifiably proposed where two or more of the following six criteria are met:
 - (a) Past development practices have rendered publicly owned foreshore and bottomlands inaccessible through privatization of historical access points and public rights of way.
 - (b) No other public access exists within one half mile of the proposed access point.
 - (c) The level of access to be provided is in accord with estimated public use.
 - (d) The access is one of exceptional and unique aesthetic appeal within the Town, eg. "Shadmore" on the Montauk peninsula.
 - (e) The level of access to be provided will not cause a degree of use which would exceed the physical capability of the resource.
 - (f) The existing means of obtaining access to the publicly owned foreshore eg. by boat, is more environmentally destructive than an alternative means of reaching the foreshore or the bottomlands eg. overland.

The following is an explanation of the terms used in the above guidelines:

- a. (See definitions under Policy 19 for "access", and "public lands or facilities")
- b. A reduction in the existing level of public access -

- (1) Pedestrian access is diminished or eliminated because of hazardous crossings required at new or altered transportation facilities, electric power transmission lines, or similar linear facilities.
- (2) Sale, lease, easement or other conveyance of public lands or waters.
- (3) Construction of private facilities which physically prevent the provision of convenient public access to public coastal lands and/or waters from public lands and facilities.
- (4) Existing public access is reduced or blocked completely by any public or private development.

P. Lectors, e. v. IMPLEMENTATION\CONCLUSION

IMPLEMENTATION\CONCLUSION

Implementation of the recommendations and policy choices described in this report will range in complexity from simply acting upon the recommendations immediately (eg. removing illegal signs) to continuing existing practice (eg. fencing endangered species bird nesting areas) to the definition of new laws. In summary form, these more complex implementation needs include:

- * development of new local laws
- * land acquisitions
- * project development Education Needs
 - Capital Improvements
 - Maintenance Needs
 - Fish and Wildlife Management
 - Legal Research
- * increasing enforcement personnel
- * increasing user fees and "abuser" fines in order to finance the above

To assist the appropriate agencies in assigning priorities among the Access Plan recommendations, Table 4 reorganizes them into the groupings listed in Policy 19: public improvements, habitat protection, education, enforcement, land acquisition and further study. For each grouping recommendations are classified according to whether they are:

- a) Minor Improvements, which can be instituted right away using existing operating budgets. (NOTE certain recommendations have already been implemented such as increasing fines for beach vehicle infractions and installing erosion control bollards at certain access points).
- b) Moderate Improvements, which are capital projects that require advance planning in future capital improvement budgets. Some of these recommendations could also be financed by private donations, grants or other government agencies.
- c) Major Improvements, which also require significant capital expenditures and advance planning for inclusion in capital improvement budgets, acquisition budgets or bond issues. As with moderate improvements financing could come from private sources, grants or other government agencies.

Table 4:PUBLIC ACCESS PLAN RECOMMENDATIONS - IMPROVEMENT CLASSIFICATIONS (letters and numbers in parenthesis refer to access point recommendations on Tables 3A, 3B and 3C)

<u>,</u>																	**
			Purther Study	Land Acquisition	, c.		rutoroagant			Education			Habitat Protection			Public Improvement	Type of Recommendation
					-increase enforcement (37A-E, 38,48A-D,55A-G 61A-S)	~increase fines	-develop "Citizen-watch program	1-remove "private" signs (7A, 1 7B, 33A	-erect warning & directional signs (llK, 37A-D, 44B)	-erect educational signs (20,10A,23B,24B,37F,59, 60 AkB, 65A)	1-close access from Aprl-Aug15	-request Boys Harbor fire- works be scheduled after August 15th to protect Sammy's Beach nesting birds	~fence colonial bird nesting areas (2C,10A-G,21,23B,24B, 37F,59,60A&B,65A)		1-modify parking restrictions (33A, 34C, 45E, 66A)	(-instell fending and/or bollards for erosion control 4 habitat protection (245, 1250,370,385-G,445,51A-C, 618-S)	Minor Improvement
-develop plan for continuous walkway between commercial sites in Coonsfoot Cove	<pre>-investigate surfing beach implications (55A)</pre>	-investigate right of access to (Wainscott Pond (67)	-investigate development of bathing beach at Toun owned property (60C)				vehicles for enforcement	-increase enforcement		-prepare and implement Toun-wide education recommendations				-restore & revesetate dune breaks for erosion control (370,370,380 485,56A,B,D,E-H,61A-S)		1 vaid additional parking (245, 250, 328, 55) vinstall park beaches (128,13,57)	Moderate Improvement
		- - -	-provide recycling receptacies for all road serviced access	Purchase land or easement (180,21,8,260,418,468, 460,55H,600,67)					,		-			I-develop marine park network (6,32C,D,41B) SDI I-shuttle bus service to beaches I from upland, barking areas	-provide vehicular & launching access through restoration of the Fish Factory Pier (32B)		Najor Eprovement

It is anticipated that the objectives of other policies in the Waterfront Management Plan, those affecting commercial fishing, fish and wildlife, and public recreation for example, will be realized by the same research, local laws and projects that will affect public access to the waterfront. Therefore, further specification of these laws, fees and projects will be established as the remaining components of the Waterfront Management Plan are completed.

REFERENCES CITED

REFERENCES CITED

Leatherman, Stephen P. & Godfrey, Paul J. 1979. The Impact of Off-Road Vehicles on Coastal Ecosystems in Cape Cod National Seashore: An Overview. The National Park Service Cooperative Research Unit. The Environmental Institute, The University of Massachusetts, Amhearst, Ma.

APPENDIX A
INVENTORY OF INDIVIDUAL ACCESS POINTS

APPENDIX A

INVENTORY OF INDIVIDUAL ACCESS POINTS

Names of Access Areas (numbers) and Access Points (letters)

Points

Areas

Reach 1

1. Barcelona A-I: all Trustee Roads

2. Northwest Creek and A,B: Trustee Roads
County Park C: Northwest Landing Road

3. Mile Hill Road

4. Grace Estate A-C: all Trustee Roads

5. Alewife Brook Road

6. Cedar Point County Park A-G: all park roads and trails

Reach 2

7. Hedges Banks
A: Hedges Bank Drive
B: Wood Landing

8. Old House Landing Road

9. The Bend of Sammy's Beach

10. Sammy's Beach A-H: all Town-owned paths

11. Maidstone Park A-K: all roads and paths within Park

12. Folkstone Drive and A-B: road-ends Harbor View Drive

13. Gann Road

14. Will Curl A-B: road-ends Highway/Breezy Hill Road

	Areas	Points 45
	Reach 2 (continued)	. 01.1.65
	15. Marina Lane	
	16. Head of Three Mile Harbor	Town Dock
	17. Boatyard Lane/ Gardiner's Cove Land	A-B: road-ends
	18. Hands Creek	A: Footpath; B: Three Mile Harbor Drive
	19. Flaggy Hole Road	
	20. Head of Hog Creek	path to water from Hog Creek Road
	21. Hog Creek Channel	landlocked parcel
Reac	ch 3	
	22. Fireplace Road	
	23. Gerard Park	A-B: Paths cross Town-owned property
	24. Gerard Drive	A-C: Paths cross Town-owned property
	25. Louse Point	A-D: Paths cross Town-owned property
	26. Shipyard Lane\Pussy's Pond	A: road-end, B: Town- parkland surrounding Pussy's Pond
	27. Landing Road	
	28. Barnes Landing	
	29. Alberts Landing	
	30. Little Alberts Landing	
	31. Fresh Pond\Abraham's	A-B: Town Parkland; C:road-end

Reach 4

32. Cedar Bush\Cherry Point A: access easement; B-D: "Point of Pines" paths/roads in State Park

33. Bayview Avenue\Hicks A-B: road-ends

Island Road

34. Lazy Point A-D: Trustee roads

35. Crassen Boulevard

36. Napeaque Harbor A-B: New York State Southwest Parkland

37. Napeague Harbor East A-F: paths within State

Park

38. Goff Point to Flaggy A-H: paths within State

39. Fresh Pond A-B: paths within State Park

Reach 5

Hole

40. Hither Woods A-H: paths within State, County and Town Parklands

41. Fort Pond Bay

42. Fort Pond A-B: Parkland; C: road-side

Reach 6

43. Captain Kidd's Path

44. Lake Montauk Inlet

45. North Montauk\Coonsfoot Cove

46. West Lake Montauk

47. East Lake Montauk

48. Block Island Sound\ Montauk County Park

49. Big Reed Pond

A: west jetty; B: east jetty

A: Town dock; B: Duryea Ave.; C: Coast Guard dock; D: Town dock; E: easement

Drainage ditch

A: Town Parkland; B-C: road-ends; D: Town-owned parcel

A-D: paths/roads within County Park

A-B: paths within County Park

Reach 7

50. Shagwong Point to Oyster Pond Barrier Beach

51. Block Island Sound to Montauk Point

52. Oyster Pond

A-H: paths within County Parks

A-N: paths/roads within State Park

A-E: paths/roads surrounding Poind in State and County Parks

Reach 8

53. Montauk Point

54. Camp Hero

A-F: paths within Town land and State Parkland

57. Old Montauk Highway

56. Downtown Montauk

Reach 10

Areas

Reach 9

55. Ditch Plains

58. Hither Hills State Park A Campground P

59. Navahoe Lane

60. Dolphin Drive/Atlantic Drive "White Sands"

61. Napeague Beach

62. Beach Hampton\Napeague Lane

63. Atlantic Avenue

64. Indian Wells

Reach 11

65. Georgica Pond

66. Beach Lane/Town Line Road

A-R: paths within State

Park

Street

A-B: road-ends

A-S: paths and breaks in dune within State Park

A-B: road-ends

A: Montauk Highway; B: Georgica "gut"

A-B: road-ends

INVENTORY DATA SHEETS

Note 1: The inventory data sheets describe the first round of data accumulation. As described in the Inventory and Analysis, the input from both the public meeting of March 9, 1990 and the Waterfront Advisory Committee as well as further research by the Planning Department refined this information. Therefore the data represented on the Inventory data sheets may not be exactly replicated in the recommendations in the report.

Note 2: The Inventory data sheets comprise 66 pages of untabulated data. In the interest of conserving paper only two copies of the draft report, the ones available for public review in the Planning Board office contain a complete set of these data sheets. Please refer to these two copies on public file for a review of the Inventory data sheets.

APPENDIX B

PUBLIC COMMENTS

APPENDIX B - PUBLIC COMMENTS

Date Received	Organization						
October 10, 1989	Long Island Divers Association						
March 6, 1990	The Nature Conservancy						
March 8, 1990	Amagansett Sports Fishing Association						
March 9, 1990	Bob Guarino						
March 9, 1990	Public Meeting List of Attendees						
April 20, 1990	Group for the South Fork						
June 1, 1990	Group for the South Fork						
July 2, 1990	Wainscott Citizen's Advisory Committee						
September 21, 1990	Okeanos Ocean Research Foundation, Inc.						



LONG ISLAND DIVERS ASSOCIATION, INC.

P.O. Box 7304, Hicksville, New York 11801

October 10, 1989

Ms. Lisa Liquori
Planning Director - East Hampton
159 Pantigo Road
East Hampton, N.Y. 11937

Dear Lisa:

This letter is written in behalf of the members of the LONG ISLAND DIVERS ASSOCIATION (LIDA). LIDA is a not-for-profit organization of twenty clubs, whose purpose is to promote, magnify, and implement the wants and needs of SCUBA and skin divers; to carry on activities devoted to the advancement, education, understanding and emjoyment of SCUBA and skin diving; to promote legislation and publicity favorable to the advancement of SCUBA and skin diving; to pursue a dedication to protecting our beaches and waters; and to contribute to education of the public in such responsibilities.

There is a serious need for provision of public access for the sport scuba diver, particularly on South Fork. The Fort Pond Bay area is extremely desirable to us because it has the best depth and conditions for our requirements. There is a need to be able to access the water at close proximity to the diving site due to the weight of our gear and photo equipment, etc. However, so many parcels of land in Fort Pond Bay which were once available are now being privately developed, with a consequent loss of accessibility. Thus, the beach clean-ups at Ponquoque Bridge and Shinnecock Beach Jetty now provide the only open areas with sufficient depth of water.

I feel confident in observing that our members make a positive economic contribution to any area we are permitted to use. Divers leaving on charter boats as well as day trip divers will patronize local motels, restaurants, dive shops, gift shops, museums, art galleries, and sight-seeing attractions, thus producing revenue for these businesses.

I do hope you will give our request for access the utmost possible consideration. Thank you for your kind attention.

Sincerely,

Edith

Edith Hoffman
Director - Special Projects

RECEIVED

OCT 1 3 1989

EAST HYMPTON TOWN-

South Fork - Shelter Island Chapter P.O. Box JJJJ, East Hampton, NY 11937 • (516) 324-1330

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MONORARY TRUSTEES Mrs. Nora Beeson Charles Banks Belt Barbara Barnes Hale Mrs. William B. Lewis Marillyn B. Wilson

*Executive Committee

Sara E. Davison Executive Director .6 March 1990

Councilwoman Cathy Lester Town of East Hampton Town Hall, Pantigo Road East Hampton, NY 11937

Dear Cathy:

Thank you for the recent information on the Town's waterfront revitalization plan. I have reviewed access points with our plover tern coordinator, Cathy Donohue and offer the following comments in connection with vehicle access points and endangered nesting bird colonies.

There are only a few places in the town where there is a direct conflict between beach vehicles and nesting birds. In these cases, a ban of vehicles during the nesting season would have a positive effect on the reproductive success of these birds. These places are:

- 1. Reach 10, Montauk on the Sea between points A & B.
- 2. Reach 3, Gerard Drive and Gerard Park
- 3. Reach 11, Mouth of Georgica Pond (direct vehicle access from Beach Lane in Wainscott west, not east)

In addition, reducing the number of access roads to 2 (inbound & outbound to the jetty) at Sammy's Beach would greatly increase the productivity at this site.

Cedar Point has always been a productive area for piping plovers (last year there were 4 pair). With the lighthouse restoration, we are concerned that vehicle access may increase. Can this be addressed in the plan?

Please feel free to contact me or Cathy if you have any questions on these comments. Many thanks for including The Nature Conservancy in the planning process.

Best wishes,

Sara E. Davison Executive Director

SED:ml cc: Cathy Donohue



8 March 1990

Ms. Cathy Lester, Councilwoman Waterfront Citizens Advisory Committee 159 Pantigo Road East Hampton , NY 11937

Dear Ms. Lester,

Having reviewed some of the reach proposals that have been available to the public, we wish to offer some general comments and then some specific recommendations and comments regarding proposed actions in the reaches.

- 1. Our organization is opposed to the closure of any beaches that are, at this time, open to public use. There have been attempts to shut down the beaches over the past two years, and the enactment of proposed changes would literally shut down those beaches permanently, given the structure of amendment with the Town Board and the State, once the policy has been accepted by the State.
- 2. Our organization is committed to working for open beach access, and more importantly to encourage responsible beach vehicle activities. The various closures of access points that have been proposed merely shift the burden of responsibility away from the Town to the beach users by limiting access. The abuse of the beaches is aserious problem, and the majority of beach users are law-abiding citizens. The Town has has address the issue by the use of I.D. stickers, and that may be helpful. What is sorely lacking is an ongoing committment to stronger law-enforemment presence on the beaches. It has been repeatedly stated that there is no enough money in the Police Department budget for a more visible, consistent police presence on the beaches. Restricting access points will do little to curtail the actions of those irresponsible individuals who choose to abuse our beaches. There are recommendations for closure of beaches, for the spending of monies to enhance facilities with bike racks, signs and parking, yet there is no corresponding recommendation for increased police presence and enforcement. It seems that odd that money should be placed in the physical plant, but none is recommeded for the physical safety of those who use the beaches, or the beaches themselves. Where are these types of recomendations?
- 3. There are statements of the cutting of new roads in various locations. There is some disagreement as to the age of these "new roads". Is new within the past year, ten years or 25 years? Is a new road defined as one set of wheel tracks outside the existing tracks what are the definitions of extremely heavy vehicular traffic? That certainly needs to have some objective standard of measurement.
- 4. Our organization sees the need for the openess and availability of the beach to all potential users, who are willing to take responsibility for their actions and for the beach. We have worked with the Nature Conservancy in conservation projects, and have engaged in beach clean-up projects over the years. We urge a spirit of cooperation be tween all interested parties. To state there is a conflict between various beach users, without offering any recommendations for education, public awareness, and communication shows some shortcomings in this proposed policy. It is obviously cheaper to just to



8 March 1990 page 2

close a beach or access rather than try to communicate and educate the public. But what is the price, in the long-term, for ignorance, and lack of respect for what few beaches we have left?

And now some specific recommendations:

- 1. The closure of beach access in the nesting areas for nesting terns and plovers is far too long. I have personally set fence on Goff Point with the Nature Conservancy for the past two years, and their recommendation is May 15 to the last week of July or August 1st. A telephone to Mike Laspia, or Karin Motivans of the Nature Conservancy should clear up any mis-information you may have had.
 - 2. In Reach 4, point 37, the net effect of that recommendation would be to allow only a low-tide access, with the concomitant danger that comes in driving in the wet sand. We do not advocate driving on the beach grass or dunes, but access along the dry strip of beach would be much safer.
 - 3. While not stated publicly in these documents, there has been conversation about the outright closure of all bay beaches in the Town. This needs to be clearly stated if it is a part of the proposed policy.
 - 4. There are no recommendations for the windsurfing access site at Napeague Harbor. There certainly have been documented conflicts at those various sites.
 - 5. A public access at the southeast side of Lake Montauk certainly needs to be considered.
 - 6. Some type of agreement with the Village of East Hampton needs to be considered to open up the use of their parking lot at Georgica Pond.

The public information process on this whole procedure has been very limited. There have been relatively few news reports or press releases regarding the work that is so important. We appreciate the opportunity for input at this stage of the process, and hope we may be of further help in the future.

Sincerely

Captain Harvey Bennett

Bennett

BOB GUARINO

PO BOX 2236 MONTAUK, NY 11954

VIA COMPUTER USE EASYLINK 62717980

TELEPHONE (516)-668-3548

March 9, 1990

Waterfront Revitalization Committee (WRC) Town of East Hampton 159 Pantigo East Hampton, NY

SUBJECT

MARCH 9, 1990 MEETING ON WATERFRONT ACCESS

Dear Staff and Committee Members.

Thank you for inviting me to participate in the subject work session. As many of you know I have been very interested in the activities of the WRC since its inception. I hope to be invited to comment at more of your sessions as they take place, and in particular the work session on Erosion.

Although I have been invited as a (then) Vice Chairman of the Montauk Citizens Advisory Committee, my comments should not be construed to be the collective opinion of that organization. At our March 5, 1990 meeting I presented the draft Public Access - Services and Recommendations paper (undated) and the partial map of Reaches (Montauk area only.) They consensus of our Committee members in attendance that evening was that they wished to individually express their thoughts on these matters.

I am also Vice President of the Montauk Moorlands Association. Time has not permitted canvassing our board on their views but I plan to in the near future.

Therefor my comments are my own.

Both my work and my recreational pursuits take me to all corners of the Town's Waterfront and as an adult this has spanned a period of over 30 years. I have some very strong opinions concerning the issue of access.

Concerning the specific issue of access (ignoring development etc) the single biggest impact I have seen on the ecology and environment of our waterfront and beaches has been caused by the enormous growth of motorized beach vehicles and personal water vehicles. I say this as one who has continuously owned 4 wheel drive vehicles for most of my adult life. However I have seen the use of vehicles on the beach grow from the early morning haul seiners and occasional surf casters of 20 and 30 years ago to a seemingly unending line of vehicles, motorcycles, all terrain vehicles etc made possible by Detroit's marketing expertise.

Unfortunately, we have legalized the driving of vehicles on the beach. We even have a law that says if you cant stay the specified distance from a dune you must stay as far as you can. Who was it that said "JUST SAY NO?". Unfortionately we have legalized this activity but the Town during the stressed out days of summer in particular cannot even enforce the regulations. Thus hundreds if not thousands of beach users are constantly disturbed, thus bird sanctuaries are destroyed, and thus dunes and bluffs are pulverized. Fortunately no human one has been killed. How long can we be that lucky?

Yes I have a vehicle beach permit, but yes I am prepared to give up that recreational right. I believe the time has come to rethink the issue of just who has the right to drive vehicles on our beaches, and when. In season (season for people as well as Hatching Birds) I submit the list be limited to those that have: - demonstrated earning their livelihood in this fashion, and - the disabled. Out of season I suggest a more liberal permitted use.

Another issue of access is the use of the Jet Ski. Again we have legalized a use but do not (cannot) enforce the regulation. Shouldn't we at least try to educate those that use these machines in how obnoxious they are to the swimmer or surfer that must ingest their fumes and oil spill? Not to mention the defenseless duck, coot, gulls, terns, comorants, turtles fish and other sea life that are disturbed, hurt and endangered by this use?

Therefor my friends in Planning and on the Town Board when I hear about improving access these are my concerns. When you suggest improving or opening up access to our "secret spots" are you considering the impact of vehicles? There is nothing wrong with a use philosophy that makes it difficult to access a natural resource. After all that is part of the charm, the magnetism that draws you to the place, and in particular that is what Montauk is about.

Now to the specifics of your draft:

REACH 1 THRU 4 AND 10 THRU 12 My map does not include these areas and therefor I reserve judgement however I do request a complete copy of the map so I may have the right to comment.

REACH 5 The official written draft copy given to me does not contain any information on Reach 5, however I do have a chart (obtained from Ms Cooper at Bluff Rd.) that discusses certain aspects of Reach 5. Point 41 is known locally in Montauk as "The Bay". It is the one quiet spot locals go to get away from the crowds who are turned off by the "funky access". It is to the children of today what South Lake (in Lake Montauk and still known 20 years later as "souff lake" in my family) was to my children. A quiet place of crystal clear clean water. Today I wouldn't let my dog swim at South Lake as the Lake is considered the sewer of Montauk. Remember the "Save the Bay Petitions"? If you want to start World War 3 with Montauk locals especially young families and the folks of Navy Road just "mess with the Bay". Concerning the Culloden comments, how about off street parking and a healthy walk to the beach? REACH 5 is a very complex issue.

<u>REACH 6</u> The entire issue of what the County has allowed to happen in REACH 6 deserves your very close examination. It is a perfect example of "out of Control Non Management" of a resource.

<u>REACH 7</u> I believe the NYOPRHP has adequately managed this area although your concerns are valid. This is a traditional surf caster area and a good surfing area under certain conditions. East Hampton beach stickers have grandfather rights here. Surfing should be permitted east of the North Bar.

REACH 8 Access in this reach should be limited to hikers only and hiking should not cause erosion to the fragile bluffs in this area. Since there is an existing road system over part of this REACH, permitting vehicle access would be a disaster

<u>REACH 9.</u> I agree with your comments. The parking area (owned by the Town) just west of the Trailer park is under utilized and the East Deck area is over utilized. The former area would provide an excellent transient parking area for a modest fee. The Town has NOT MANAGED TO MANAGE RHINESTEIN PARK. What has been allowed here is a travesty.

Public Access to the Waterfront Public Meeting - March 9, 1990

Attendees

Stuart Vorpahl

Northwest Alliance Baymen's Association

Bill Taylor

Harbor Master

Fred Yardley

Town Clerk

George W. Campbell

Amagansett Sport Fishing Association

Thomas Sweeting

Amagansett Sport Fishing Association

Melissa Shaw

East Hampton Star

Bob Guarino PO Box 2236 Montauk, NY 668-3548(o) 668-5619(h)

Montauk Citizen's Advisory Committee Montauk Moorland Association

Surf Rider Association

Carol Morrison ...

668-5269

Concerned Citizen's of Montauk

Valerie Scorsone

Zoning Board of Appeals

324-7643

Zoning Board of Appeals

Lillian Disken 668-5997

Amy Turner Wainscott Citizen's Advisory Committee

J. Edwards

Job Potter PO Box 1168 Amagansett, NY

Betsey Perrier 324-0724

Accabonac Protection Committee

Cile Downs
324-2435

Peter Liss

Department of Parks Suffolk County, Montauk

Richard Mendelman 324-5666

Seacoast Enterprises Association, Inc.

Sue Fileppa

Amagansett Citizens Advisory Committee

267-8432 Tom Ruhle

Councilman

George Larsen

Hither Hills State Park

668-2493

Perry B. Duryea and Son, Inc.

Chip Duryea 668-2410

V.

Nancy H. McCaffrey

Councilwoman



APR 2 4 1900

King C

PLANNING OFFI

MEMORANDUM

GROUP FOR THE SOUTH FORK

117 Main Street P.O. Box 569 Bridgehampton, NY 11932 516-537-1400

President Nancy Nagle Kelley, A.I.C.P.

Chairman
Edward Gorman
e Chairmen
william F. Dudine

Berton Roueche'

Secretary Henriette Montgomery

Treasurer Ned B. Stiles

Chairman, Advisory Committee Donald A. Petrie

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TO: Waterfront Citizens Advisory Committee

FROM: Nancy Nagle Kelley, President

DATE: April 20, 1990

RE: Comments on Draft Coastal Access Points and Policies

Group for the South Fork is pleased to submit for your consideration comments pertaining to coastal access policy in the Town of East Hampton. Our comments have been divided into three sections: first, a policy statement on coastal access and ORV use; second, general comments pertaining to the Committee's draft recommendations; third, specific comments and recommendations for individual access areas within the Town as identified on the map titled "Public Access to Water Related Recreation Resources".

I. Coastal Access and ORV Use

Throughout the Town of East Hampton, there is increasing demand among a variety of users for a finite resource: namely our ocean and bay beaches. In recent years, conflict has arisen between the use of off road vehicles (ORV's) and the quiet and safe enjoyment of the beach by pedestrians. Secondly, the "users" of this resource are not limited to humans. Nesting and feeding grounds for two species of endangered shore birds have literally become public highways. Resulting conflicts, some with possible fatal consequences, can only be expected to increase in the future unless decisive action is taken by the Town.

There are several detrimental effects which are associated with the use of offroad vehicles on beaches.¹ These include:

- denial to residents and visitors of the tranquility of a natural beach by the introduction of noise and physical intrusion;
- threat to the public safety of pedestrian beach users;

<u>Citizen's Action Guide to Over-Sand Vehicles in the National Seashores</u>, 1982. National Parks and Conservation Association.



- destruction of the natural scenic qualities of the beach;
- destruction of fragile dune vegetation and the creation of channels which tend to break down a beach's natural line of defense against wind and wave erosion; and
- damage to essential feeding and nesting grounds of threatened shorebirds such as Least Tern and Piping Plover.

These concerns are supported by the findings of extensive scientific research. In one of the most comprehensive studies ever conducted on the environmental impact of beach vehicle traffic, a team of scientists from the University of Massachusetts concluded after five years of research:

"There is <u>no</u> carrying capacity for vehicular impacts on coastal ecosystems. Even low-level impacts may result in severe environmental degradation...dunes can be quickly de-vegetated by vehicular passage, resulting in blowouts and sand migration."²

In other words, <u>any</u> amount of vehicular traffic is likely to have a significant negative impact on beaches.

No one would disagree that the provision of adequate public access points to ocean and bay beaches is essential to a seaside community such as East Hampton, enriching the outdoor experience of all who live and visit the Town. The real issue is whether or not it is appropriate or necessary to equate <u>public</u> access with <u>vehicular</u> access. The right of public access should not be construed to mean the right to enter an area by whatever means desired, regardless of the damaging consequences. On the contrary, the Town has a responsibility to manage natural areas for use by this and future generations by thoughtfully restricting types and levels of users.

In light of the above-documented detrimental effects associated with ORV beach use, it would seem that a sound beach public access policy would maximize <u>pedestrian</u> access points at or in reasonably close proximity to adequately sized vehicle parking areas, bicycle storage areas or along the routes of public transportation systems.

It is our belief that ORV use on Town beaches should be further curtailed than

² Leatherman, Stephen P. and Godfrey, Paul J., 1979. <u>The Impact of Off-Road Vehicles on Coastal Ecosystems in Cape Cod National Seashore: An Overview</u>. The National Park Service Cooperative Research Unit. The Environmental Institute, University of Massachusetts, Amhearst, Mass.



present restrictions provide for, and that this can be done without unduly compromising the right to beach public access in East Hampton Town. [Note: As is presently the case, commercial fishermen and emergency vehicles would be exempt for these restrictions.] Recommendations with regard to ORV restrictions are provided in Sections II and III of this document.

- II. General Comments Pertaining to the Committee's Recommendations
- We support the Committee's draft recommendations that tern and plover nesting sites be fenced and associated access points closed (on a 24 hour basis) from April 1st - throught August 15th for the following access areas: 2C; 6 A&B; 10 A-G; 21; 23 B; 24 B; 60 A&B; 65 A.
- Furthermore, we recommend that the following areas/oe included in the April 1st throught August 15th closure; 25 D Louse Point; and, 66 A Wainscott Ocean.
 - Several areas in Town are experiencing increased conflict between beachgoers and ORV's. We support the Committee's draft recommendations calling for vehicle access restrictions/prohibitions at the following access areas: 44 B;
 48 A-D; 50 A-H;55 D-G; 56 and 61 A-S.

Furthermore, we recommend similar vehicle access restrictions/prohibitions at: 10 A - Sammys Beach; 24 Gerard Drive & 25 - Louse Point; 65 A * Georgica Pond & 66 A - Wainscott Beach (See Section III: Specific Access Area Recommendations).

- 3. We recommend that bike racks be installed or added wherever possible to accommodate and encourage cyclists, particularly in areas where vehicle parking is limited and/or nearing capacity.
- 4. Consideration should be given to amending § 43-3 B 1(a) of the Town Code to include all ocean beaches under Town jurisdiction. Presently, the ocean beach between the westerly boundary of Hither Hills State Park and the easterly border of Napeague State Park, and the ocean beach between the westerly boundary of Napeague State Park and the easterly boundary of the Village of East Hampton are excluded from the seasonal daytime ban.

In our opinion, the exclusion of these two stretches of beach creates an inconsistency within the ordinance, particularly since there does not appear to be any reason why they should not be subject to the same seasonal daytime restrictions as the remaining ocean beaches under the Town's jurisdiction. The concerns for limiting conflict between beach vehicles and daytime pedestrian beach users, as well as the need to





protect shorebird nesting areas are no less pressing in the presently unrestricted areas.

- 5. The Town should consider applying the seasonal daytime vehicle restriction to all <u>bay</u> beaches within Town jurisdiction as well. In recent years, considerable concern has been raised over conflicts caused by increasing vehicle use along bay beaches, where, except for Maidstone Park Beach, no restrictions currently apply. There is no question that the same arguments for applying vehicle restrictions to the ocean beaches also hold forth for bay beaches.
- 6. Consideration should be given to revising the effective date of the seasonal restriction on all beaches under Town jurisdiction, so as to minimize conflict with the shorebird nesting season. We recommend that the June 1st starting date be moved up to April 1st, as nesting activity often begins at or around this time.

III. Specific Access Area Recommendations

Reach 1

1.Barcelona

In light of recent State purchase of the Barcelona uplands, the Town should coordinate with NYSDEC regarding a management plan for the nine established access points.

Reach 2

10A. Sammys Beach

Increasing conflict between ORV 's and beachgoers. Close or restrict access to vehicular traffic.

Reach 3

24. Gerard Drive and 25. Louse Point

- Severe erosion problems exist at the end of both spits at Accabonac Harbor. To mitigate, we recommend the following: relocate roadend and parking area further back from spit-ends; re-grade, remove asphalt and re-vegetate the area; prohibit vehicular access.
- Increasing conflict between ORV's and pedestrian beach goers, as well as nesting sites. Close or restrict access to vehicular traffic.

 [Note: The beach areas in both locations are readily accessible by foot. Further, very limited beach widths exacerbate vehicle/beach pedestrian conflict.].



31.A. Fresh Pond at Devon

Town-maintained toilet facilities need upgrading and/or relocating.

Reach 4

32. Point of Pines

This site has potential as a primitive camping area for sea kayakers. Maintain as undeveloped park.

34. Lazy Point

Major windsurfing access point. Coordinate with State Parks to provide rest room facilities.

37. Napeague Harbor and 38. Goff Point

Restrict or eliminate vehicle access. ORV's have caused damage to dune vegetation, salt marshes and nesting areas. [Note: Of all the coastal ecosystems studied in a 5 year research effort on Cape Cod, salt marshes and intertidal sand flats were found to be the least tolerant to ORV impacts.] The unique Walking Dunes formation have also been impacted by ORV's.

Reach 5

41. Fort Pond Bay

Additional access needed. The bay is an excellent scuba diving area, used by diving clubs for certification dives. Recent matching grant awarded by NYS Parks for purchase at Culloden Point could help address this access need.

Reach 6

44.B. Lake Montauk Inlet

Conflict between ORV's and beach pedestrians. Close access to vehicular traffic.

48. Montauk County Park

Restrict or eliminate vehicle use and overnight camping on the beach; heavy impacts resulting from both. Coordinate with State and County Parks.



50. Shagwong Point

Restrict or eliminate vehicle use and overnight camping on the beach; heavy impacts resulting from both. Coordinate with State and County Parks.

51.A. Block Island Sound

Vehicle and pedestrian traffic disturb wintering harbor seals from November through April. Coordinate restrictions with Okeanos Research Foundation.

Reach 9

55. D.E.F.G. Ditch Plains

Conflict between ORV's and beach pedestrians. Close access to vehicular traffic.

56. Downtown Montauk

Conflict between ORV's and beach pedestrians. Close access points to vehicular traffic.

Reach 10

61. Napeague Beach

The twenty identified access points should be consolidated down to no more than three for pedestrian access (with bike racks provided). Vehicular traffic through the dune breaks or overwash passes prevents reformation of young dunes which would eventually re-stabilize the system. ORV traffic should be restricted or prohibited.

62. Beach Hampton/Napeague Lane

Vehicular traffic through the dune breaks or overwash passes prevents reformation of young dunes which would eventually re-stabilize the system. ORV traffic should be restricted or prohibited. [Note: This stretch of Town beach is <u>not</u> covered under Section 43-3-B of the Town Code - seasonal daytime restrictions. See Section II.4. of this document for recommendation.]

Reach 11

65. Georgica Pond



At least one additional access needed to Pond either through outright purchase or easement.

65.A. Georgica Pond and 66.A. Wainscott Ocean Access

Increasing conflict between ORV's and pedestrian beach goers, as well as nesting sites. Close or further restrict areas to vehicular access.



MEMORANDUM

TO:

East Hampton and Southampton Town Boards, Village Boards and

Trustees

FROM: Kevin McDonald, Vice President

DATE: June 1, 1990 **Beach Vehicles** RE:

GROUPFOR HESOUTHFORK

17 Main Street P.O. Box 569 Bridgehampton, NY 11932

President Nancy Nagle Kelley, A.I.C.P.

hairman Edward Gorman

16-537-1400

Chairmen rF. Kelly nko Rasic Berton Roueche'

ecretary Tenriette Montgomery

Treasurer Ned B. Stiles

Donald A. Petrie

nted on 100% recycled paper.

I am writing to you as the summer season opens regarding impacts of beach vehicles and all terrain vehicles on the health and safety of the community as well as on the environment.

Throughout the East End, there is increasing demand among a variety of users for a finite resource; namely our ocean and bay beaches. In recent years, conflict has arisen between the use of off road vehicles (ORV's) and the guiet and safe enjoyment of the beach by pedestrians. Secondly, the "users" of this resource are not limited to humans. Nesting and feeding grounds for two species of endangered shore birds have literally become public highways. Resulting conflicts, some with possible fatal consequences, can only be expected to increase in the future unless decisive action is taken by Town and Village Officials.

Chairman, Advisory Committee There are several detrimental effects which are associated with the use of off-road vehicles on beaches.1 These include:

- denial to residents and visitors of the tranquility of a natural beach by the introduction of noise and physical intrusion;
- threat to the public safety of pedestrian beach users;
- destruction of the natural scenic qualities of the beach;
- destruction of fragile dune vegetation and the creation of channels which tend to break down a beach's natural line of defense against wind and wave erosion; and

¹ Citizen's Action Gulde to Over-Sand Vehicles in the National Seashores, 1982. National Parks and Conservation Association.



-- damage to essential feeding and nesting grounds of threatened shorebirds such as Least Tern and Piping Plover.

These concerns are supported by the findings of extensive scientific research. In one of the most comprehensive studies ever conducted on the environmental impact of beach vehicle traffic, a team of scientists from the University of Massachusetts concluded after five years of research:

"There is <u>no</u> carrying capacity for vehicular impacts on coastal ecosystems. Even low-level impacts may result in severe environmental degradation...dunes can be quickly de-vegetated by vehicular passage, resulting in blowouts and sand migration."²

In other words, <u>any</u> amount of vehicular traffic is likely to have a significant negative impact on beaches.

No one would disagree that the provision of adequate public access points to ocean and bay beaches is essential to seaside communities such as East Hampton and Southampton, enriching the outdoor experience of all who live on and visit the South Fork. The real issue is whether or not it is appropriate or necessary to equate <u>public</u> access with <u>vehicular</u> access. The right of public access should not be construed to mean the right to enter an area by whatever means desired, regardless of the damaging consequences. On the contrary, the Towns and Villages have a responsibility to manage natural areas for use by this and future generations by thoughtfully providing types and levels of uses.

In light of the above-documented detrimental effects associated with ORV beach use, it would seem that a sound beach public access policy would maximize <u>pedestrian</u> access points at or in reasonably close proximity to adequately sized vehicle parking areas, bicycle storage areas or along the routes of public transportation systems.

It is our belief that ORV use on local beaches should be further curtailed than present restrictions provide for, and that this can be done without unduly compromising the right to beach public access to East End beaches. [Note: We continue to support exemptions from such restrictions for commercial fishermen and emergency vehicles.]

² Leatherman, Stephen P. and Godfrey, Paul J., 1979. <u>The Impact of Off-Road Vehicles on Coastal Ecosystems in Cape Cod National Seashore: An Overview.</u> The National Park Service Cooperative Research Unit. The Environmental Institute, University of Massachusetts, Amherst, Mass.



Many municipalities have vehicular access restrictions already in place; however, existing regulations should be compared to those of the recently promulgated rules and regulations pursuant to the New York State Coastal Erosion Hazard Act, which states that motorized vehicles must operate seaward of the upper debris line at all times. The practical effect of this law is that all vehicles are prohibited from driving on the beach or dunes. They are only allowed to drive between low water and the last high tide (debris line). Attached is a memo which explains in detail the requirements of the C.E.H.A. Enforcement of said law will go far in protecting our coastal resources for all those who enjoy it.

Additional suggestions are offered for your consideration as follows:

- The current dates for seasonal vehicle restrictions should be amended to better reflect nesting season for plovers and terns. A starting date on or about April 1st would insure better protection to nesting sites.
- Current seasonal restrictions are generally limited to daylight hours (roughly 10:00 a.m. - 6:00 p.m.). As damage to shorebird nests is as or more likely to occur during evening hours (nests are particularly difficult to spot in the dark), consideration should be given to a 24 hour prohibition in nesting areas.
- 3. Certain beach areas, because of a high degree of user conflict (i.e., prime nesting habitat; popular pedestrian beach) or particular vulnerability to vegetation damage and erosion, should be made completely off limits to beach vehicles at all times. Theses areas should be identified and critically evaluated for such designation.
- 4. Proper enforcement of beach vehicle restrictions continues to be a major problem. Suggested remedies include: posting of restricted beaches; increased penalties for violators; increased visibility of enforcement personnel (Note: This apparently proved quite effective in East Hampton Town during the 1989 summer season); municipal education campaign on beach vehicle conflicts. (This could be distributed to individuals when beach permits are sought.)

We trust this memo sufficiently details the concern regarding beach vehicles and further trust you will incorporate these factors into your existing beach vehicle ordinances and management guidelines.

If our office can be of further assistance to you in fulfilling any or all aspects of this memo, please do not hesitate to contact me at 537-1400.



GROUPFOR THE SOUTH FORK

117 Main Street P.O. Box 569

Bridgehampton, NY 11932 516-537-1400

President

Nancy Nagle Kelley, A.I.C.P.

Chairman Edward Gorman

e Chairmen in F. Kelly ranko Rasic Berton Roueche'

Secretary Henriette Montgomery

Treasurer Ned B. Stiles

Donald A. Petrie

LEGAL MEMORANDUM

TO: Kevin McDonald

FROM: Carolyn Zenk, Attorney-at-Law

DATE: April 26, 1990

RE: The Coastal Erosion Hazard Area Act and Legal Requirements

Regarding the Operation of Off-Road Vehicles on the Beach and

Primary Dunes.

This memorandum addresses your question regarding the restraints imposed upon the operation of off-road vehicles on East End Beaches by the Coastal Erosion Hazard Area Act, ECL Article 34 and its associated regulations at 6 N.Y.C.R.R. Part 505, as well as the protection that Act affords dunes, beach grass, and wildlife.

Vehicular traffic is prohibited on primary dunes', except in those areas designated by the Department of Environmental Conservation for dune Chairman, Advisory Committee crossings2. The law requires motor vehicles to operate seaward of the upper

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- Primary dune is defined at 6 N.Y.C.R.R. 505.2 dd) as "the most seaward major dune where there are two or more parallel dune lines within a coastal area. Where there is only one dune present, it is the primary dune. Occasionally one or more relatively small dune forms exist seaward of the primary dune. For the purposes of this Part, such forms will be considered to be part of the primary dune. The seaward limit of a primary dune is the landward limit of its fronting beach. The landward limit of a primary dune is 25 feet landward of its landward toe.
- The text of this requirement reads as follows: "Primary dunes". "The following restrictions and requirements apply to regulated activities on primary dunes; Vehicular traffic is prohibited on primary dunes, except in those areas designated by the department for dune crossings." 6 N.Y.C.R.R. 505.8 d)2)



GROUP FOR THE SOUTH FORK

debris lines³ at all times. Where no debris line exists, motor vehicles must operate seaward of the tow of the primary dune. Motor vehicles must not travel on vegetation⁴. As per 6 N.Y.C.R.R. 505.8 b) 10⁵ and 6 N.Y.C.R.R. 505.8 d) 12)⁸ active bird nesting and breeding areas cannot be disturbed on either the beach or the primary dune respectively unless such disturbance is pursuant to a specific wildlife management activity approved in writing by the D.E.C. Those minimum requirements are applicable to all coastal communities in N.Y. regardless of whether or not they have adopted their own programs. See 6 N.Y.C.R.R. 505.17 a).

- i) motor vehicles must operate seaward of the upper debris lines at all times. On those beaches where no debris line exists, motor vehicles must operate seaward of the toe of the primary dune, and
- ii) motor vehicles must not travel on vegetation." 6 N.Y.C.R.R. 505. 8 b)6)
- The text of this requirement reads as follows: "Beaches... Active bird nesting and breeding areas must not be disturbed unless such disturbance is pursuant to a specific wildlife management activity in writing by the department." 6 N.Y.C.R.R. 505.8 b)10)
- The text of this requirement reads as follows: "Primary dunes...

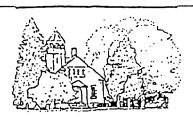
 Active bird nesting and breeding areas must not be disturbed unless such disturbance is pursuant to a specific wildlife management activity in writing by the department." 6 N.Y.C.R.R. 505 8.d)12)

[&]quot;Debris line means a linear accumulation of waterborne debris deposited by high waters on a beach" 6 N.Y.C.R.R. 505.2 j)

The text of this requirement reads as follows: "The following instructions apply to the use of motor vehicles on beaches:

WAINSCOTT CITIZENS ADVISORY COMMITTEE

David Fink Co-Chair Box 101 cott, N.Y. 11975 (516) 537-3312



AmyTurner Co-Chair P.O. Box 791, Sayers Path Wainscott, N.Y. 11975 (516) 537-2471

HEGENVED

JULOGIJA

July 2, 1990

PLANNING DOTE

Judy Cooper
Planning Department of East Hampton
159 Pantigo Road
East Hampton, New York 11937

Re: Waterfront Revitalization Committee

Dear Ms. Cooper:

The Wainscott Citizens Advisory Committee makes the following recommendations with respect to access to Wainscott beaches and Georgica Pond:

- 1. We support the Town-wide recommendations with respect to enforcement and education.
- 2. The Town should make a serious effort toward re-opening the existing access on the east side of Georgica Pond, which had been used in the past.
- 3. Make the necessary improvements so that a boat access could be used at the north end of the Pond at the rest stop on the highway near Sapore di Mare Restaurant.
- 4. Extend parking on the east side of Beach Lane to 100 feet.
- 5. In light of the serious safety hazards of prior years, close the beach to all vehicles on July 4.
 - Place an additional bike rack at Beach Lane beach.
- 7. With respect to vehicular access, keep the existing laws in effect from June 1 to September 15: no vehicles from 10 a.m. to 6 p.m. except for commercial fishermen and people actually crabbing, but from April 1 to June 15: do not permit any vehicles on the beach at any time.

Thank you for your consideration of our views.

Very truly yours,

Amy B. Turner, Wainscott Advisory Co-Chair



OKEANOS OCEAN RESEARCH FOUNDATION, INC. 216 E. Montauk Hwy. P. O. Box 776 Hampton Bays, N. Y. 11946

(516) 728-4522

Judy Choper Waterfront Advisory Committee c/o Cast Hampton Planning Department 150 Pantigo Road Fast Hampton, N.Y. 11937

September 21, 1990

Dear Judy Cooper.

The Okeanos foundation has recently received funding from the Department of Environmental Conservation (DEC), Return a Gift to Wildlife. This grant allows us to conduct further research on the harbor and grey seal population on Long Island. The survey will include finding the population and feeding habitat along with individual identification and migration. In addition we would like to increase public awareness and cooperation to improve sighting efforts of these species.

In the past our research has been very preliminary. However, we have found that one of the largest haul out areas on Long Island is an area just north west of Montauk Point: between False and Shagwong Points. On some days more than 35 seals can be found hauled out on these rocks. Seals will haul out in areas easily accessible to the water. The time spent hauling out is needed to increase their metabolism. One factor that influences this behavior is human related disturbances. From observations made last year, the increase in human activity ie. trucks, dogs and beople on the beach, caused a change in the animals behavior. The animals would either assume a rigid posture or move back into the water.



OKEANOS OCEAN RESEARCH FOUNDATION, INC. 216 E. Montauk Hwy. P. O. Box 776 Hampton Bays, N. Y. 11946

I would like to propose having an area blocked off, far enough away from the animals so as they are not disturbed but yet close enough so the public can observe the seals. The area blocked off would be about a 1/2 mile, with a fence running from the dunes to the water on either side. Since the seals are in residence from mid November to the end of April, we would request that the area be blocked off only at this time of year. Signs would be posted on the fence informing the public about the seals, why this area is blocked off and encouraging them to report any sightings or strandings on Long Island. Enclosed is a copy of my paper from the research I conducted last year. I would appreciate any support you can give our foundation

Sincerely,

Doreen G. Moser

Research Biologist

APPENDIX C

PUBLIC COMMENTS ON DRAFT ACCESS PLAN

APPENDIX C - PUBLIC COMMENTS ON DRAFT ACCESS PLAN

Comments were received from the following individuals at the public hearing before the Planning Board on May 22, 1991:

Jacques H. Peltier, Chairman-Coalition For the Preservation of East Hampton Beaches

Kenneth R. Silverman - Amagansett resident

James Mangano - East Hampton Town Baymen's Association

Steven Biasetti, Environmental Analyst - Group For the South Fork

Planning Department memoranda to:
 Town Trustees (April 11, 1991);
 Town Board members (April 18, 1991);
 Chief of Police (April 22, 1991);
 Public Review Participants (April 30, 1991);
 Planning Board, Town Trustees, Waterfront Advisory
 Committee, Councilwoman Lester, Peter Walsh (June 19, 1991)
 summarizing public hearing concerns.

7 Fithian Lane East Hampton, NY 11937

RECEIVED

PLANNING DEPT

May 20, 1991

Debra Foster, Chairwoman East Hampton Planning Board 159 Pantigo Road East Hampton, NY 11937

Dear Ms. Foster and Members of the Planning Board:

I am the president of the Coalition for the Preservation of East Hampton's Beaches, which represents several thousand East Hampton Town and Village citizens.

We have reviewed the Public Access section of the Town's Local Waterfront Revitalization Plan which you are considering for incorporation into the Comprehensive Plan, and offer the following comments:

- 1. Beach driving restrictions should be in place by April 1, not June 1 as proposed in the plan, to better protect the Federally threatened piping plover, which scouts territory and lays eggs well before June 1.
- 2. Beach driving restrictions should encompass a 24-hour period during the April 1- Sept. 15 dates. Beach nesting birds do not pick up and leave for the safety of their homes in the evening. The beach <u>is</u> their home.

Making the regulations governing our precious beaches simple to understand and simple to enforce will assure their greatest success.

We commend the Waterfront Committee and Planning Department for doing such a thorough and thoughtful report. Clearly, the report contains a number of excellent recommendations that will significantly improve the protection of East Hampton's beaches.

Thank you for the opportunity to comment.

Sincerely,

Jacques H. Peltier, Chairman

Coalition for the Preservation of East Hampton Beaches

KENNETH R. SILVERMAN

401 East 74th Street New York, NY. 10021

May 21, 1991

Town of East Hampton
Planning Board
Planning Department
Waterfront Citizens Advisory Committee
159 Pantigo Road
East Hampton, n.Y. 11937

SUBJECT: WATERFRONT MANAGEMENT PLAN

PUBLIC ACCESS TO THE WATERFRONT

FECEIVED

ME 2 4 1991

EAST HAMPTON TOWN PLANNING DEPT.

Dear Board Members,

I am writing you in reference to the above subject to express my opinions both individually and as President of The Dunes at Napeague Property Owners Assoviation. The homeowners association represents property owners of lands located south of the Montauk Highway betweenaccess points 62B and 62A.

While I have not previously had the oppournity to view my opinions to your Board on matters relating to oceanfront access at these points, I have done so both before the Town Board in regard to ORV's in general and before the ZBA with reference to access at location 62A Marine Blvd. While in 1989 and 1990 I attended several meetings of the Waterfront Citizens Advisory Committee and expressed my views, personal family obligations unfortunately kept me away from East Hampton for the better part of the last year. As a resuly I was unable to attend the public meeting in April 1990 and subsequent work sessions and as such I am directing my comments to you hopefully for inclusion in your final plan.

In general I find the report of April 15, 1991 a serious and fair analysis of the present situation. While personal opinions may vary, it certainly is long overdue that the thorny issues of access, conflicts between users, and the protection of natural features and our beautiful beaches be finally addressed. This is essential if we are to ensure the survival of those amenities which have made East Hampton what it is and established our community. As a consequence with two exceptions, one general and one specific I certainly can support this Plan.

With regard to a more general observation the Plan makes two good recomendations for public beaches at Ditch Plain and the present town owned parcel in Napeague. It also provides recomendations for procedures in establishing or maintaing present accesses in the future. It is clear that as times change use patterns and demand loads also change. What is not provided

for is a procedure to review and resolve future conflicts or to curtail use when a natural feature is threatened. Consideration should be given to revisions when:

- A) Current use exceeds the capacity of the access point; or
- B) The primary dune system is jepordized or a flooding hazard exists; and
- C) Sufficient access exists withing a half mile or mile of the problem point

Insofar as access points 62A and 62B are concerned I wish to express serious misgivings about access point 62A. First for those of you who may be unfamiliar let me describe both of these access points. Access point 62B or the Napeague Lane access is one which has existed for some time. It is at the road end existing approximately 3000 feet south of the Montauk Highway at the ocean end of Napeague Lane which is a wide paved two lane road. The paving exists over the crest of the primary dune and the exit onto the sandy portion of the beach is at elevation 14AMSL. At the point of entry onto the sand one is about 25feet from the beach grass line parrallel to the dune. At it's narrowest point the access is about 50 feet wide flaring to 70 or 80 feet onto the beach.

For the most part with the exception of the busiest summer days access is available day and night and well lit at night. This is the most direct access from the main thoroughfare, the Montauk Highway. The original data sheets seem to call for maintaing this as the primary access without regard to any changes at 62A.

Access at 62A, described inapproiately as a road end, at the eastern end of the cut de sac on Marine Blvd presents an extremely different situation. At present it presents a flooding and environmental hazard as well as a substantial nuissance to the neighborhood.

Up until the late 60's what existed was a winding dirt path extending eastward from Napeague Lane parrallel to and at about the landward toe of the primary dune system. This path then made a sharp 90 degree right turn southward at the point that is now the present cul de sac thru a crack in the dune about 10-15 feet in width at elevation llAMSL with the dune on either side at about 15 feet AMSL. It is about 250 feet from this point to the line of the beach grass parrallel with the ocean beach. Approximately 200 feet of this trail runs thru the property of the homeowners association thru a blowout in the dune and along a trustee easement. The balance of the trail runs thru private property and a dispute exists over the valadity of any public use and the violations of existing covenants and restrictions.

At some point in the 60's or 70's Marine Blvd was paved 500 feet east to what is now Gilberts Path. In 1981 or 1982 the path was extended and modified to its present configuration ending about 1500 feet east of the 62B Napeague Road access point. While the idea of multiple public access points so near each other might have been a laudable purpose some years ago the facts today show the access is neither public nor a particularly good idea. In 1983 or 1984 on even the busiest summer day i never noticed more than 10 vehiclesa day using this accesss and usually the number was four or five with an occasionaly commercial fishing crew and dory.

Around 1985 with changes in the daytime accesses in Southampton, East Hampton village and Montauk all the Town daytime traffic was directed at this loaction. In addition to the fact that the beach between the 62A access point and Napeague State Park being turned into a parking lot the onslaught has resulted in the severe errosion and collapse of the primary dune at this location. In addition to the flooding hazard that has been created it is blatantly unfair that one area of the town should be singled out for this treatment. On the busiest summer day this location experiences over 500 trips in and out with vehicles stacked up waiting for their turn. What was once a dirt path and later a relatively unused paved road has now become a speedway to the beach creating a serious hazard to the residents and the children of the area. In addition because of the relatively narrow passage point and poor visability at night the dune system has taken a terrible beating and injury.

In a previous hearing before the ZBA relative to the development of the private lot thru which this access point passes, I presented photographic evidence in the form of a photo alblum depicting the errosion and collapse and abuse of this primary dune area from 1984 to 1989. Basically what has happenened in addition to a great deal of abuse and driving up and over the primary dune, is that even the well mannered and nonreckless traffic due to its large numbers has undermined the base of the dune at the acces point and along the blowout. This base errosion has hastened the sand on the south and southwestern slope of the dune to slide down thus exposing the root system of the beach grass system which is supposed to stabilize the dune system. The photo alblum is in the ZBA possession and I have over 300 more depicting this destruction. I would be happy to meet with any of you to discuss this situation.

In this matter the ZBA made the following findings in accordance with its decision a copy of which I ahve enclosed:

- A) The primary dune has receded 15feet since 1983 and flooding during minor storms is common
- B) The property is in a exposed location and subject to extreme hazard of coastal storm water flooding
- C) The access has proven to be a conduit for storm water during storms and periods of high tides.

In previous correspondence to the WCAC the Group for the South Fork stated "vehicular traffic through the dune breaks or overwash passes prevents reformation of young dunes which would eventually restabilize the system." For all of the above mentioned reasons we ask that your Final Plan provide for the correction of an "out of hand" bad situation which is just getting worse. Specifically we ask for:

- A) The closing, restoration and revegation of the break in the dune at 62A; and
- B) Providing that access 62B be the access point of preference.

Your time and careful consideration of the content of this letter would be most appreciated by the residents of the area and a benefit to all the inhabitants of the Town of East Hampton. I am available at any time to discuss the contents of this letter and its proposals.

Very truly yours,

Kenneth R. Silverman

The Collapse of the Dune

Amagansett, NY 1989 – 1984

PHOTO ALBLUM WITH THE ZBA

ZONING BOARD OF APPEALS' TOWN OF EAST HAMPTON

n the Matter of the Applications

JANES PAPPAS

HEARING DATE:

PRESENT:

riled - Town clent

MAY 11 1990

ALSO PRESENT:

Harch 21: 1989'

CILARLES HITCHCOCK, Chair LILLIAN DISKEN, Vica Chair PHILIP CAMBLE CAMILLA CLEASON JAMES DEVINE RICHARD E. WILLEN, ESQ.,

RICHARD E. WHALEN, ESQ.,
Counsel to the Board:
CENE E. CROSS, JR.,
Agent for Applicant
LAWRENCE T. PENNY,
Natural Resources Director
THOTHY HILLER,
Clerk - Trustees of
the Freeholders and Commonalty
of the Town of East Hampton
JEFFREY L. BRACHAN, ESQ.,
KEN SILVERHAN
PATTI WADZINSKI
JOHN P. SLECKMAN,
Planner
STUART B. VORPAHL, JR.

FINDINGS AND DETERMINATION

Based upon the application, all documents contained in the Board's files, the report of Hember Philip Camble, following an on-site inspection of the premises, and the evidence received at the public hearing on this application, the Zoning Board of Appeals finds and determines as follows:

- 1. Applicant seeks a Natural Resources Special Permit pursuant to Section 153-4-20 of the East Hampton Town Code, a height variance, rear yard setback variance, and street setback variance for accessory structures, all from the provisions of Section 153-11-10. (Table III), and dune crest setback variance from the provisions of Section 153-4-12 (A), in order to construct a flat roofed two-story residence having a first floor footprint of approximately 2.604 sq. ft., a 480 sq. ft. swimming pool with 1.427 sq. ft. of associated decking, a septic system, public water line, and driveway/parking area on a parcel contiguous with the Atlantic Ocean Beach.
 - 2. Subject premises consist of approximately 30,003 sq. ft.. and are situate off the east end of the Marine Blvd. cul de sac and contiguous with the Atlantic Ocean Beach. on Napesgue Beach. Premises are located in an A2 Residential Zoning district as shown on the official Zoning Map of the Town of East Hampton. and in an A2 Flood Hazard Zone, as shown on the Federal Flood Insurance Rate Map (FIRM) prepared by the Federal Emergency Management Agency. Premises are identified on the Suffolk County Tax Map as parcel \$100-179-2-8.
 - J. Subject application is classified as an unlisted action pursuant to the State Environmental Quality Review Act (SEQRA), the regulations of the State Department of Environmental Conservation promulgated thereunder; and Chapter 75 (Environmental Quality Review) of the Town Code. A positive declaration is made by

- 4. By letter dated Harch 9, 1989; the Suffolk County Planning Commission has informed this Board that it considers the subject application to be a matter for local determination.
- 5. In order to be eligible for issuance of the requested Natural Resources Special Permit, applicant must show that the proposed action is compatible with the purposes of Sections 153-1-11 and 153-4-10 of the Town Code and satisfies the criteria set forth in Sections 151-5-40 and 153-5-50 (Natural Resources Special Permit) of the Town Code.
- variance, applicant must demonstrate, pursuant to Section 153-8-50 (C) of the Town Code, that: (1) special and strictly unique circumstances exist,
 - which are peculiar to applicant's property or structures thereon, and which will cause applicant practical difficulties if not alleviated by grant of the requested variance;

 (2) the variance sought is the minimum variance necessary to alleviate the conditions causing applicant's difficulties; and

 (3) grant of the requested variance will not contravense

 - (3) grant of the requested variance will not contravene the underlying purposes of the Town's zoning laws or Comprehensive Plan, will not injure the neighborhood in which the subject property is located, will not degrade the environment. and will not be otherwise harmful to the general public . Ii: 1 in 1 and
- 7. Applicant's property lies immediately landward of the primary and secondary dunes fronting the Atlantic Ocean on Napeague Beach. The property is in an exposed location and subject to an extreme hazard of coastal storm water flooding. A beach access road extends from Harina Blvdi through the southwesterly corner of applicants property to the Atlantic Ocean Beach, and in the past has proven to be a conduit for storm water during coastal storms and periods of high tide.
- 8. The lot itself is a "dished out" area in the midst of the dunes, with generally very low elevations, some of them below seven feet above mean sea level. Although the secondary dune crest to the southeast of the proposed building site is some 100 ft. distant, and the primary dune crest over 200 ft. away, the primary dune is, for all practical purposes, the landward edge of the beach access road from Harine Blvd. For flood hazard purposes, therefore, applicant's proposed building site is some forty to sixty ft. from this storm water channel . As noted in paragraph one above applicant initially sought both a height voriance for a flat roofed building; and a street setback variance from Marine Blvd. for construction of the pool and deck. By submission made April 14, 1989, applicant revised his plans to, eliminate the need for a variance from the 25 ft. height limitation on a flat roofed building, and to position the pool and decking so that it conforms to the sixty ft. street setback from Harine Blvd.
- 9. Applicant's requested 10 ft. rear yard setback for the dwelling is necessitated by the existence and placement of his proposed swimming pool and deck, which must maintain a sixty ft. setback from Marine Blvd. and a 100 ft. setback from the secondary dune creat along the Atlantic Ocean.
- 10. Not only is the proposed pool temponsible for applicants rear yard variance request, but an above ground pool on such a dangerously low parcel of land as this presents a serious flood hazard risk and is environmentally unsuitable. Elevations in the area of the awimming pool are only approximately 10 ft. above mean sea level, and groundwater on this site is known to be at approximately three it. dbove mean bea level. The pool will require either extensive amounts of fill to insure that it meets even a minimal separation between the bottom of the pool and the top of the groundwater table, of it will in fact be located in groundwiter. 3.1 计图解示:

- 11. The testimony of both applicants agent and of the adjoining property owner starkly demonstrate the precarious nature of this lot: Applicants agent noted at the public hearing that the primary dune in this vicinity has receded twenty five ft. since the Planning Board's approval of the map of "Dunes at Napeague," in which this parcel is Lot 119 in, 1981. An adjoining property owner testified that the primary dune has receded the standards at least fifteen ft. since 1983, and flooding in this area during even minor storms is now common.
- 12. In view of these facts, this Board finds that the standards for issuance of a Natural Resources Special Permit for the swimming pool cannot be met, and that removal of the bool is necessary to allow applicants proposed residence to make the minimum required rear yard setback. We are not persuaded that applicant is entitled to a swimming pool simply because all or most of the developed lots in the neighborhood also have pools. Hany of those proparties did not undergo Natural Resources Special Permit review and that the subject lot faces.
- 13. In view of the foregoing, the proposed project, by incorporating the mitigating measures identified below and in the Environmental Assessment Form Part II, will not have a significant effect on the environment and will meet the criteria set forth in Sections 153-5-40 and 153-5-50 (Natural Resources Special Permit) for the issuance of a Natural Resources Special Permit.
- 14. Consistent with social, economic, and other essential considerations from among the reasonable alternatives thereto, the project as approved is that which minimizes or avoids adverse environmental impacts to the maximum extent practicable.
- 15. For the reasons set forth herein, therefore, this Board hereby issues applicant à Natural Resoutcès Special Permit pursuant to Section 153-4-20 of the Town Code to construct a two-story flat roofed residence having a first floor footprint of approximately 2,604 sq. ft., and meeting all height and setback requirements of the zoning code. Said Natural Resources Special Permit shall include construction of attached decking as shown on applicant's survey by George II. Walbridge Co. dated revised Harch 30, 1989, except that that decking may not extend further seaward then the southessterly line of the dwelling and may include all of the area north of that line that was proposed for the swimming. pool. Said Natural Resources Special Permit shall also permit construction of applicant's proposed driveway, installation of a three-ring sonitary septic system, and installation of a public water service line. Issuance of the foregoing Natural Resources Special Permit is specifically conditioned upon applicant's compliance with the following:
- (a) All improvements shall be constructed in accordance with a survey of the subject property by George II. Walbridge Co. dated revised March 30, 1989, except that the dwelling shall be located thirty (30) ft. from the northwesterly rear property line, the driveway/parking area shall be shortened accordingly, the swimming pool shall be eliminated and the decking shall be modified as described above. The dwelling shall not exceed a height of twenty-five ft. above natural grade, shall have a first floor elevation of fourteen (14) ft. six (6) inches above mean sea level, and shall utilize ceiling heights of eight (8) ft. on both the first and second floor in order to comply with the height restrictions.
- (b) Prior to the commencement of clearing, grading or construction suthorized by this determination, applicant shall install a project limiting fence along the northerly, easterly, and southerly perimeters of the proposed residence and septic system, as generally shown on the Planning Department sketch attached to the Environmental Assessment Form Fart 11. Said project limiting fence shall remain in place until all construction related activities on the subject lot have been completed.

(c) All areas disturbed during the construction of this residence and the improvements associated therewith shall be revegetated with indigenous plant and tree species, such as

revegetated with indigenous plant and tree spacies, such as beach grass, beach plum, tosa rugosa, baybarry, and pitch pine.

(d) The proposed driveway/parking area shall be constructed of water pervious materials.

(e) Applicant shall apply for and obtain a building permit within one (1) year of the date of the filling of this determination.

(f) Applicant shall apply for and obtain a Certificate of Occupancy within eighteen (18) boothed of the date of the filling of this determination.

filing of this determination.

16. All conditions of this determination shall be this determination blists be void and of ho effect. Dated: May 8, 1990

EAST HAMpton PlANNing BOARD,

As a representative for the EAST Hampoon Town Bayman's ASSOC. I would like to submit this letter as a comment from the Bayman's Assoc. Concerning the access policies of the Waterfront Revitilization Committee.

We feel that acess to the waterfront and passage on the beaches is vital to a continuance of the towns commercial fishing interests and also benefits the community of large. The water front is one of our most important resources and must be maintained for the public interest. There are several access points that have denied to the public and the commercial fisherman of the community over the years. This has been done by private individuals eighter by illigally posting access points as private or by fencing or berming existing passages These accesses are noted in the plan and should be reclaimed For the most part we find the access report well thought out,

througho, fain and adequate to praide valuable public use and still protect the environment. However there still are a few comments to be made concerning the words "MARINE PARK. They appear twice once for from is land and again for Culloden point. We wish to see the word "MARINE" dropped. Especially on Culloden where it could be used as adiving PARK. The waters around Culloden are Some of the most productive for commercial as well as recreational fishing interests. There are pound traps gillnets lobster pots and trawling which occur on and around the pointalso there are numerous recreation boats, fisherman and surfcasters that use the area. Mateing Their a diving park would curtail all fishing and boating activities. This would be detrimental to all fishing interest and extremly Gas costly to the commercial fisherment Boats, nets, traps, hooks and diverse don't mix well. The waters of Colloclen are highly exposed with

some of the strongest tides and steepest drop-offs around. There are better (safer and less fished) choices for a diving partz in less utilized and less severe places.

yours truely Jangue



June 5, 1991

Debra B. Foster, Chairwoman East Hampton Town Planning Board 159 Pantigo Road East Hampton, NY 11937

Dear Chairwoman Foster and Members of the Board,

Group for the South Fork has reviewed the sub-component of the Townwide Waterfront Management Plan entitled *Public Access to the Waterfront: Inventory, Analysis, Policy*. We appreciate being granted a two-week extension period in order to comment on the above-mentioned document.

In our memorandum to the Waterfront Citizens Advisory Committee dated April 20, 1990, we offered six general comments pertaining to the draft document and numerous specific recommendations regarding access areas/points. Group for the South Fork is satisfied that many of our comments have been incorporated in the final document. Therefore, we offer our support for this section of the Waterfront Management Plan.

We do wish to bring to the Board's attention that a piping plover/least tern colony located at "Napeague Beach East" does not seem to be addressed within the report. I have enclosed the pertinent information regarding this colony from the 1989 Long Island Colonial Waterbird and Piping Plover Survey (we do not have the 1990 survey as yet). Since management strategies have been given for all other tern/plover colonies within East Hampton Town, the same should be done for this colony.

Thank you for consideration of our comments.

Sincerely.

Steven Biasetti Environmental Analyst

Steven Biasette

SB/vay



RUP FOR HESOUTH FORK

17 Jain Street CL Box 569 ridgehampton, NY 11932 16-537-1400

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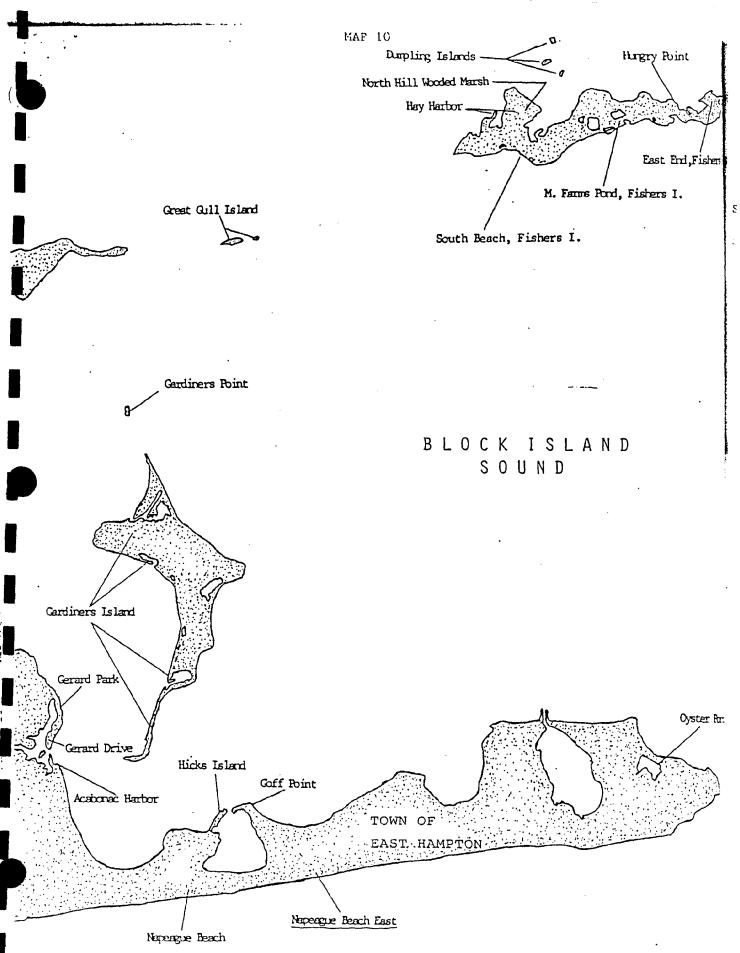




LONG ISLAND COLONIAL WATERBIRD and PIPING PLOVER SURVEY



Conducted by the
New York State Department of Environmental Conservation
in cooperation with the
Seatuck Research Program



ATLANTIC OCEAN

LOW NAME: Napeague Beach

41 deg. 00'N 73 deg. 03 W

TON: Town of East Hampton

Town of East Hampton

NY COLONY CODE: 52-03-18 FEDERAL ID#:

ABITAT: Shoreline/ocean, estuary

HABITAT: Sandy beach UBSTRATE: Sand

COVER:

LONY DISTURBANCE:

Durrent: Flooding Vehicles Recreation Habitation Potential: Predation Pets Vandalism

Potential:

LONY PROTECTION: None TYPE OF FENCING: None

SURVEY RESULTS

Species

Counted from

Survey technique Percent Adult Nest Est. count pairs count

surveyed

89 Piping Plover

Foot (periphery) Total adult count

100

RVEYED BY: James Cavanagh

VIS: Bad weather hampered census this year. Colony was inactive last year.

ONY NAME: Napeague Beach East (Map 10)

41 deg. 00'N

72 deg. 02'W_

CarlON: Town of East Hampton NEK: Town of East Hampton

NY COLONY CODE: 52-03-19 FEDERAL ID#:

AL HABITAT: Shoreline/ocean, estuary FIC HABITAT: Sandy beach

SUBSTRATE: Sand ANT COVER: 0%

ISTURBANCE:

ment: Flooding Predation Pets Vehicles Recreation Habitation

Potential: Vandalism

K PROTECTION: None TYPE OF FENCING: None

SURVEY RESULTS

Species

Counted from

Survey technique Percent Adult Nest Est. surveyed count

count pairs

8

/01/89 Piping Plover Least Tem

Foot (periphery)
Foot (periphery)

Total adult count Total adult count. 100

N/A N/A

YED BY: James Cavanagh

MENIS: Colony had been both flooded and driven through. Second survey done on the 18th of July

found only loafing Least Terms.

ONY NAME: Nassau Beach (Map

73 deg. 36'W 40 deg. 35'N

ION: Town of Hempstead

: Nassau County

NY COLONY CODE: 30-02-02 FEDERAL IDI:

NERAL HABITAT: Barrier island

FIC HABITAT: Spoil/fill area SUBSTRATE: Sand COVER: 20%

MY DISTURBANCE:

Current: Potential:

Predation Pets

KENNETH R. SILVERMAN

401 East 74th Street New York, NY. 10021

л мау 5, 1991

Town of East Hampton Planning Board Planning Department Waterfront Citizens Advisory Committee 159 Pantigo Road East Hampton, N.Y. 11937

SUBJECT: WATERFRONT MANAGEMENT PLAN
PUBLIC ACCESS TO THE WATERFRONT
ACCESS POINTS 62A and 62B

Dear Board Members,

Thank you for the opportunity to address the Board at it's meeting of May 22, 1991. I am writing this addendum to my previous letter to clarify certain points and revise some distances cited and to encompass some of the points I raised at the public meeting. Under separate cover I am transmitting photos of the above access points depicting the sad state of affairs at the 62A Marine Blvd. access point,

It is my hope to condense a lengthly discussion of past history and a series of complicated issues to the essence of the matter. Simply put there is no good logical reason to condone the continued use of access 62A in light of the fact that its use violates almost every sound planning and environmental concern and adequate if not better access is available at 62B Napeague Lane.

Recent measurements show that the 62B Napeague Lane access is only 1500 feet from the Montauk Highway and the access and even the ocean are even visable from the Highway. The minimum width of the access is 75 feet flaring to over 100 feet and well lit at night. For all the reasons cited in my letter of May 21 one should STOP right here. Why should considerable traffic be directed any further than the FIRST and BEST access?

From a planning point of view use of the 62 A Marine Blvd access requires substantial traffic to go an additional 1500 Feet thru a quiet neighborhood. The use of the Marine Blvd extension east of Napeague lane as a speedway to the beach has created aserious hazard to the residents and the children of the area as well as a major nuisance.

From an environmental position, driving a 4-wheel drive vehicle of whatever nature(van, jeep, pick-up truck, flatbed etc) 250 feet thru a fragile dune system is LUDICROUS.

Even the most casual inspection reveals several afcts. The emense traffic

has caused the undermining and collapse of the dune system at this point. Not only is the area threatened by flooding that the dune system is meant to deter, but flooding is a common occurence. Without man made intervention (Restoration) the dune system is trying to rebuild itself but can not because of constant disturbance much like salt being rubbed in a wound.

Independent of the fact that there is a dispute regarding the validity of public access at this point that may eventually make the matter mute, these facts alone should be sufficient to make a sensible decision.

I believe some time ago the Town took the position that breaks in the Primary Dune system should be restored to 15 feet AMSL. The State Coastal Erosion Zone Management Regulations speak of access being taken only at designated points and then only using "suitable" structures for dune crossings. I presume that the paved road end up and over the crest of the dune at Napeague Lane is one such "suitable" structure that was envisioned.

I have heard the only reason that any one has given for the use of the Marine Blvd 62A access is that it is relatively flat. I believe that anyone contemplating using a 4-wheel drive vehicle on the beach should be prepared to navigate a crossing such as Napeague Lane which is similar to Indiam Wells, Atlantic Ave in Amagansett, Atlantic Dr in Montauk -BY-the-Sea, Two Mile Hollow Road or the numerous access in Montauk and the Napeague State Park. In short if elevation were a problem which logically it should not be for any vehicle suitable for driving on the beach, the Nepeague Lane access should be improved with a suitable steel mesh dune crossing device or lowered slightly. In any event we are calling for the use of 62A Marine Blvd to cease and a common sense dune restoration project to be undertaken to retore the elevation to one suitable for the flood protection the dune was meant to provide.

Thank you for the condideration and I would be available to meet at the site with the Board or the Planning Department to discuss the situation further. I believe that this is an urgent situation that must be corrected.

Very truly yours,

Kenneth R. Silverman



159 Pantigo Road East Hampton, New York 11937

Planning Department Lisa Liquori, A.I.C.P. Director

(516) 267-8442

April 11, 1991

TO:

Trustees
Diane Mamay
Jim McCaffrey
Tom Knobel

FROM:

Lisa M. Liquori, Planning Director

RE:

Public Access Policies for the Waterfront

Revitalization Plan

The Planning Department invites you to a presentation of the Public Access Inventory and Analysis section of the Local Waterfront Management Plan at the Planning Board meeting on Wednesday April 17, 1991 at 7:30 p.m. The Planning Department will be happy to make a separate presentation to the Trustees at a mutually agreeable time as well.

Thank you for your continued coordination on this matter.

LL:mt



300 Pantigo Place - Suite 105 East Hampton, New York 11937-2684

Planning Department Lisa Liquori, A.I.C.P. Director (516) 324-2178

April 18, 1991

TO:

Town Board Members

FROM:

Lisa M. Liquori

w

RE:

Public Access To The Waterfront Inventory Analysis

and Policy Report

Attached please find a copy of the Public Access to the Waterfront Inventory Analysis and Policy Report. This component of the Waterfront Plan was presented to the Planning Board on April 17, 1991 and will be presented to the Town Trustees on May 14, 1991. After a public hearing and possible adjustments, we anticipate the report will be adopted by the Planning Board into the Town Comprehensive Plan and ultimately adopted into the Town Waterfront Management Plan.

If you have any questions on this matter or would like more information, please do not hesitate to contact us at the Flanning Department.

LL:mt



300 Pantigo Place - Suite 105 East Hampton, New York 11937-2684

Planning Department Lisa Liquori, A.I.C.P. Director (516) 324-2178

April 22, 1991

TO:

Tom Scott, Chief of Police

FROM:

Judy Cooper, Planner //?

RE:

Public Access Plan-Education\Enforcement

Recommendations

As we discussed, please find enclosed excerpts from the plan for Public Access to the Waterfront. These include Title page, Table of Contents, List of Tables and Introduction as well as pages 5-9 which describe the general education and enforcement recommendations for your review.

The plan was presented to the Planning Board on April 17, 1991 and will be presented in Town Hall to the Trustees on May 14, 1991. You are welcome to attend this meeting if you are interested. The public hearing before the Planning Board will be scheduled at their May 1st meeting for a May 22nd hearing date. Please let me know if you have any concerns about the recommendations in the report or if you have any additional comments. If you wish to review the entire report, copies are available at the Planning Board office and the Town Clerk's office. Thank you for your time and consideration.

enclosures
JC:mt



159 Pantigo Road East Hampton, New York 11937

Planning Department Lisa Liquori, A.I.C.P. Director

(516) 267-8442

April 30, 1991

TO:

Public Review Participants

FROM:

Judy Cooper, Planner

RE:

Public Hearing on Public Access to the Waterfront Plan

Please find enclosed the Planning Board resolution scheduling the Public Access Plan for a public hearing on May 22, 1991. This notice is being sent directly to all those public and private agencies, citizen association representatives, as well as individual libers of the public, who have contributed to the preparation of the Public Access Plan Arough participation at the March 9, 1990 public meeting or by sending written torrespondence to the Planning Department or the Waterfront Advisory Committee.

We have insufficient resources to provide a copy of the Pian to all public participants. However, two copies are available for your review in the Pianning Board office and the Town Clerk's office as noted on the attached resolution.

We would like to take this opportunity to thank you for your participation to date and welcome any additional comments you have at the public hearing.

T C · m+



300 Pantigo Place - Suite 105
East Hampton, New York 11937-2684

Planning Department Lisa Liquori, A.I.C.P. Director (516) 324-2178

June 19, 1991

TO:

Planning Board

Town Trustees

Waterfront Advisory Committee Cathy Lester, Councilwoman Peter Walsh, NYS Dept. of State

FROM:

Judy Cooper, Planner

RE:

Public Access Plan

Public Hearing Concerns

A public hearing was held on May 22, 1991 (with the record held open until June 5, 1991) before the Planning Board to consider the adoption of the report Public Access to the Waterfront - Inventory, Analysis, Policy into the Comprehensive Plan.

Six individuals spoke at the hearing (Carol Morrison of Concerned Citizens of Montauk, Sara Davison of the Nature Conservancy, Nancy Kane of the Accabonac Protection Committee, Anita Clifford representing Jacques Peltier of the Coalition for the Preservation of East Hampton Beaches, Jay Ginsberg Jr. of the Montauk Surf Caster Association and Ken Silverman, an Amagansett resident). Additional verbal comments were received by telephone (two East Hampton residents, John McGowan and Jack Glennon) and written comments were received while the record was held open (Steven Biasetti of the Group for the South Fork, James Mangano of the East Hampton Town Baymen's Association and a second letter from Ken Silverman, an Amagansett resident).

Comments were made about general recommendations in the plan and about specific access points. The Planning Department has reviewed all comments, conducted additional research and field inspections, consulted with the Waterfront Advisory Committee at their meeting of June 16, 1991 and we offer the following comments and recommendations based on this additional review.

I. General Recommendations

As an initial comment, the Planning Department would like to thank all of the public participants. Throughout the Plan's development, from the informal public meetings, the Waterfront Advisory Committee meetings and at the public hearing, public input has been constructive, encouraging and invaluable.

Dunes as Erosion Control

The Concerned Citizens of Montauk (CCOM) noted that the report does not address the importance of dunes as instruments of erosion control.

The Planning Department notes that seven other policies (Policies 11-17) in the Waterfront Plan specifically address flooding and erosion. Several recommendation in the Access Plan do however specifically address closure or revegetation of specific access areas because of erosion problems (Reach 3, Access Areas 24 and 25 - Gerard and Louse Points; Reach 4, Access Points 38D and 38E - Goff Point to Flaggy Hole; Reach 6, Access Point 48B - Montauk County Park; Reach 10, Access Area 61 - Napeague Beach and, based on information supplied at the public hearing, Access Point 62A - Marine Blvd.).

Definition of Off-Road Vehicles

CCOM also found the Access Plan unclear about the difference between vehicular access on the beach and the use of the term "off-road vehicles". Also unclear was the difference between recommendations that allowed access to the beach vs. access along the beach.

The Planning Department would like to clarify that the terms "off-road vehicle" and vehicular use of the beach all refer to the same thing: use of the beach by motorized vehicles of any kind, where four wheel drive trucks are the most common. In other cases, access to the beach by vehicles does not necessarily mean that driving along the beach is recommended. Rather, the existing beach vehicle restrictions of the Town Code apply or, where the access point was surrounded by private property, the access was intended to provide boat launching, swimming or merely parking at the road end to enjoy the view. The Access Plan will be changed so that the specific recommendations in Tables 3A, 3B and 3C clarify what type of access is recommended and a definition of off road vehicles will also be written to clarify terms.

Jet Ski's

The last general issue raised by CCOM concerned launching of jet skixs from Town beaches. Several petitions are apparently in circulation recommending some limitation on their use.

The Planning Department requested copies of this petition from CCOM and informed Carol Morrision that the issue of jet-skis will be addressed in the Recreation Policies (Policy 21 and 22) of the Waterfront Management Flan.

Endangered Species Nesting Areas - Beach Closure Recommendations

Two organizations, the Nature Conservancy and the Coalition for the Preservation of East Hampton Beaches objected to a June 1-September 15 beach closure period noting that endangered bird species seek nesting sites and lay eggs before June 1. They also state that beach closures in nesting areas should be 24 hour closures.

There appears to be some confusion over the two sets of dates (June 1- September 15 in the Town Code and April 1-August 15 in the Access Plan) and the function of each closure. The beach closure dates June 1-September 15 that are presently regulated by Section 43-3 of the Town Code address human user conflicts in the busy summer months. The Access Plan recommends that these daytime restrictions be expanded to all ocean beaches and all bay beaches to reduce overall conflicts.

The beach closure dates April 1-August 15 are not presently codified. These dates are recommended in the Access Plan as complete beach closures (24 hours) in the areas surrounding endangered species nesting sites. The Planning Department suggests that, with this clarification, the existing recommendations in the Access Plan address the concerns to endangered bird species raised by these two groups.

Citizen Watch Recommendation

Two organizations, the Nature Conservancy and the Montauk Surf Caster Association, stated that they supported citizen patrol of the beaches as recommended in the Access Plan and that they have people available to participate. The Planning Department will provide a list of these organizations in the revised plan so that the Town Police are aware of them.

Removal of "Private" Signs at Public Access Points

The East Hampton Town Baymen's Association supported the removal of several signs, fences or berms that presently restrict access at public access points throughout the Town.

Marine Park Network

The Baymen also request that the Access Plan drop the word "marine" from the term marine park. They indicate concern over the use of the waters around Culloden by divers, noting that commercial and recreational fishing interests do not mix well with a diving park. They suggest that there are safer and less important fishery areas that could be used for a diving park.

In a revision to the Access Plan, the Planning Department will clarify in a list of definitions what a "marine park" means. The recommendation as stated was "to establish a Town-wide marine park network with primitive camping facilities at Cedar Point Park, Napeague State Park and Culloden (if acquired)".

The term "marine park" does not imply a diving park. The intent, which will be defined in the list of definitions, was to establish a park network for small watercraft (canoes, kayaks, small sailboats) where access to the park was <u>from</u> the water rather than overland. Such water-access parks are very popular and successful in the coastal islands of the Pacific Northwest. Napeague and Culloden were specifically recommended because overland access is presently very rugged. Cedar Point County Park was included to complete a Town-wide network.

The Planning Department believes that such a use will not unduly interfere with recreational or commercial fishing pursuits.

II. Specific Access Point Recommendations

Reach 3, Access Area 24 - Gerard Point

The Accabonac protection Committee questioned whether the recommendation to move the vehicular access to the beach at Gerard Point (Access Point 24B) will move it north of the tern nesting area. They also questioned whether the path leading to the harbor side of the point (Access Point 24C) was necessary.

The Planning Department has field inspected the site and clarifies that relocation of 24B is definitely intended to be north of the tern colony. Upon further review, the location of nesting areas at 23B and 24B strongly supports a complete 24 hour closure for off road vehicles during the nesting season (April 1-August 15) on the entire bay side beach at Gerard Drive. To provide parking for beach users an attached map indicates areas for future parking in the Gerard Point area. The map also indicates that the access north of the tern colony should be pedestrian. Finally, this recommended closure exempts commercial fishermen.

We do not recommend closing Access Point 240 as it presently provides the only safe launching area during inclement weather.

Reach 4, Access Areas 37 and 38 - Napeague Harbor East and Goff Point to Flaggy Hole.

The Montauk Surf Caster Association requested that the Access Plan "not lock off Napeague Harbor" and "not to take away the outside {Napeague Bay}". They noted that birds can nest in the interior of the Goff Point - Walking Dunes area and that they supported the restriction on any vehicles in the Walking Dunes themselves.

The Access Plan does not recommend closing access to Goff Point, Napeague Harbor or Napeague Bay. Certain restrictions were recommended to protect the salt marsh habitat in the interior of the Goff Point peninsula, to restrict vehicles to particular areas and to revegetate breaks in the primary dune caused by four wheel drive vehicles. To avoid further confusion the Planning Department has prepared a map for the revised plan (attached) which designates where areas are still open, where revegetation is recommended and what access roads are appropriate for off road vehicular access to fishing areas.

Additional comments and consultation with local residents who use the area (John McGowan, Harvey Bennett) and the Waterfront Advisory Committee suggest a revision to the original recommendation for the road behind the primary dune on the Napeague Harbor side of the Goff Point peninsula. The Access Plan had recommended to "restrict beach vehicle use to area seaward of beachgrass during summer; allow one road behind dunes to Goff Point from November 1-April 1". However, restricting use of the road behind the dune to protect the salt marsh, poses the risk of vehicles driving over the toe of the dune at high tide. In addition, when the tide reaches the upper beach it also tends to flood portions of the road behind the dune. Access point 37D is the main avenue for flood waters and the road behind the dune traverses salt marshes vegetation in this area.

Given the above risks and constraints, the recommendation for Access Area 37 - Napeague Harbor East has changed to the following:

- * install a warning sign at the end of Napeague Harbor Road indicating that the area contains fragile habitat and that the upper beach and road behind the dune are susceptible to flooding at high tide
- * install bollards and directional signs that direct vehicles along one road behind the dune and out of the salt marsh vegetation
- * close Access Point 37D (the flooded washout) and vegetate the area to dampen flooding.

Reach 5, Access Area 41 - Culloden

In response to the concerns raised by CCOM and as indicated above, vehicular access to the beach for launching is recommended here rather than access along the beach.

Reach 6, Access Area 48 - Block Island Sound/Montauk County Park

The Montauk Surf Caster Association again requested that the Access Plan "not lock Shagwong Point off" stating that it provided the best fishing in the east end, that it was a recreational fishing destination of national significance and that it was a source of economic support to the local area.

The Access Plan did not recommend closing Shagwong Point to access or to fishing. It recommended decreasing the number of vehicles that are presently allowed to camp on the beach. A range of 50-70 vehicles rather than the 250-300 that are presently allowed was recommended.

The CCOM supported this recommendation and went further to suggest that there be no overnight camping at all. The Planning Department recognizes the importance of this area as a recreational fishery and the Access Plan recognized that septic effluent is a problem given the present intensity of use. An increase in sanitary services is required and a decrease in the number of overnight users.

Reach 9, Access Area 55 E, F, G - Rheinstein Park

CCOM raised an objection to the recommendation to restrict ORV traffic to one bluff overlook in Rheinstein Park. Upon additional field inspection, the Planning Department agrees with this objection and recommends pedestrian access only in Rheinstein Park.

Reach 9, Access Point 57 - Old Montauk Highway Overlook

CCOM noted that the trails leading down the bluff to the beach from the Old Montauk Highway overlook were in need of vegetation for erosion control. Field inspection reveals that the trails are well vegetated. However the gullying of the main trail could be reduced with the installation of wood plank terracing that intercepts stormwater, decreases its energy and directs flow to the sides of the path. Five or six wooden planks spaced about 5 - 10 feet apart would probably be sufficient.

Reach 10, Access Point 59 - Navahoe Lane

The Group for the South Fork noted that a piping plover/least term colony located at "Napeague Beach East" in the vicinity of Access Point 59 - Navahoe Lane has not been addressed in the Access Plan. They recommend that this colony receive the same protection as others protected by the plan.

The Planning Department has checked with the Inventory of Flora and Fauna prepared for Policy 7 of the Waterfront Management Plan, verified the location of this colony and will include it for protection in the revised plan. Its exclusion was an unintended oversight.

Reach 10, Access Area 62 - Napeaque Beach

The Montauk Surf Caster Association supported the recommendation to keep three access points open along the Napeague Beach.

The Planning Department would like to clarify that the recommendation to revegetate 16 of the 19 breaks in the primary dune along Napeague Beach specifically recognizes habitat destruction and vulnerability of the area to flooding. This recommendation does not indicate a closure of 16 access points to the beach as was represented in the local press. Rather it indicates the need for dune rehabilitation, habitat protection and the education and enforcement of off road vehicle users.

Reach 10, Access Point 62A - Marine Blvd.

An Amagansett resident, Kenneth Silverman, identified erosion, excessive traffic, vulnerability to flooding and close availability of an alternative access (Napeague Lane 62B) as reasons for closing Access Point 62A. He also states that "there is a dispute regarding the validity of public access at this point".

The Planning Department has reviewed the subdivision file, Dunes At Napeague, which created the Reserve Area through which this access passes. As indicated in the Declaration of Covenants and Restrictions (Liber 9026, Page 406) the Reserve Area in this subdivision is subject to an easement in favor of the Trustees which allows vehicular and pedestrian access through the existing natural gap in the dunes (see attached copy of Declaration with portion of subdivision map - Dunes at Napeague). Thus the existence of a public right of access seems clear at this point, however any change to existing use rests solely with the Trustees.

Field inspection reveals that the original blow-out in the dune is very wide and actively eroding. The Planning Department recommends to the Trustees that beach vehicle use of access point 62A be managed through establishment of a right of way that allows some restoration of the blow-out. Fencing, importation of sand and planting of beachgrass is necessary to restore the area. A sign could also be erected alerting vehicles to the erosion control effort and directing vehicles to Napeague Lane 1000 feet to the west. Street parking could also be allowed at the Marine Blvd. turnaround to decrease vehicle parking on the beach and assist in the erosion control effort.

Research into the access at 62A in the Dunes at Napeague Subdivision led to investigation of adjacent subdivisions to the east (Mitchell Dunes, Whalers Cove and Ocean Estates). The Declaration of Covenants and Restrictions for the Whalers Cove Subdivision (Liber 10674 Page 530, attached) established an additional public access point in this area. The attached material specifies the conditions of this access; it will be added to the Access Plan and the Public Access Opportunities Map.

Reach 11, Access Area 65 - Georgica Pond

Planning Board member Clifford and the Waterfront Advisory Committee recommended that an access to Georgica Pond be obtained on West End Road. The Suffolk County Tax Map of this area is attached. The Waterfront Advisory Committee recommends the following to address this issue:

* obtain access to Georgica Pond from West End Road by opening the Village of East Hampton property (SCTM# 0301-15-5-21.1) for commercial fishermen and by the Trustees asserting their right of passage over West End Road to their property (SCTM# 0301-15-5-17).

However, please be advised that the Village Administrator of the Village of East Hampton has advised that an attempt to open the Village property (SCTM# 0301-15-5-21.1) "created a firestorm of protest that the Board does not wish to revisit" (letter attached).

III. Final Report Modifications

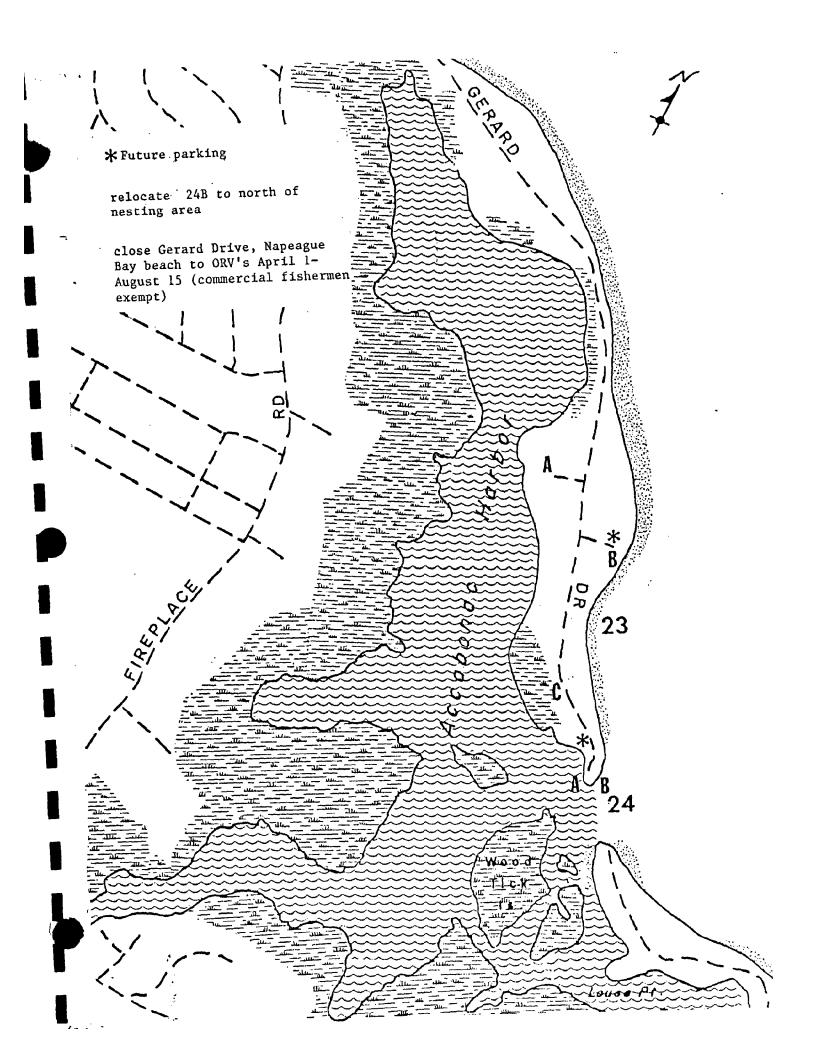
Subject to your comments, all of the above issues will be incorporated into a revised version of the Access Plan. Several definitions will be added (off-road vehicles, marine park, access to versus access along the beach), beach closure dates will be clarified along with their function and a list of interested citizen watch volunteers will be added. Tables 3A, 3B and 3C will be revised to include the specific access point recommendations listed above and the two maps illustrating these changes (Gerard Drive, Napeague Harbor East) will be included in the revised report. The revised report will also contain copies of all written public comment received at the public hearing.

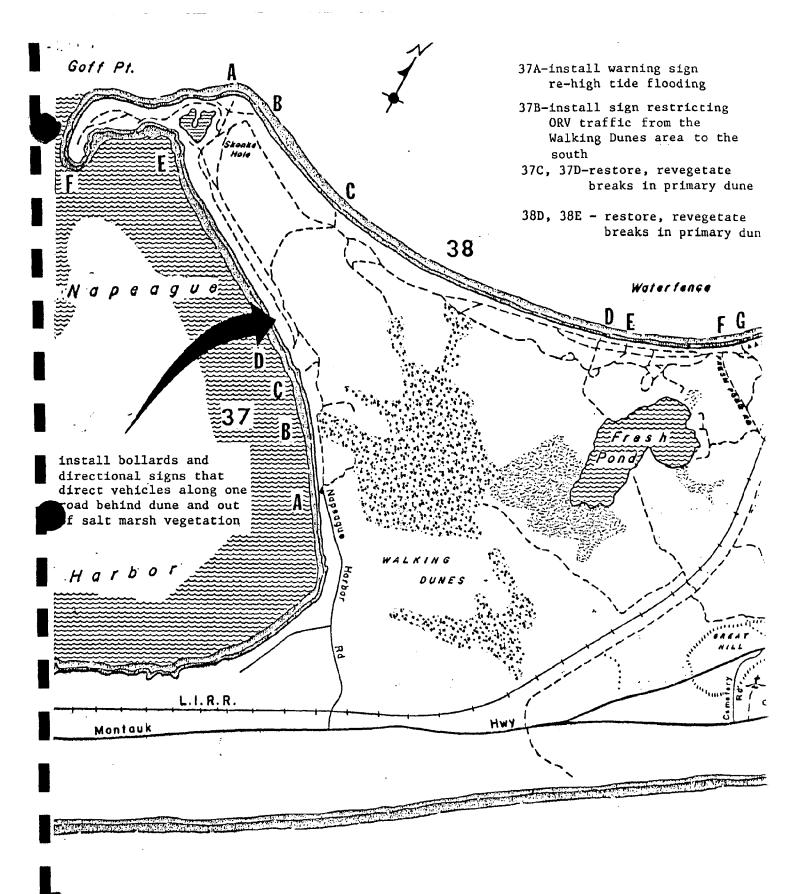
Finally the Planning Board, Trustees and Department of State have asked whether priorities have been established for the numerous recommendations in the Access Plan. To assist the appropriate agencies to assign such priority when implementing these recommendations, the Planning Department has prepared a Table which reorganizes the Access Plan recommendations into the groupings listed in Policy 19, (public improvements, habitat protection, education, enforcement, land acquisition, further study). For each grouping, recommendations are classified according to whether they are:

- a) Minor Improvements, which can be instituted right away within existing operating budgets,
- b) Moderate Improvements, which are capital projects that must be planned for in future capitol improvement budgets or could be financed by private donations, grants or other government agencies
- c) Major Improvements, which also involve significant capital expenditures and must be planned for in future capitol improvement budgets, acquisition budgets or bond issues or could be financed as above.

See Table on attachments JC:mt

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- 5. Where necessary for drainage, adequate culverts will be installed by lot owners under driveways serving the premises of such lot owners.
- 6. Declarants set aside and reserve as common areas in perpetuity all parcels designated as Reserved Areas appearing on The Map of the Dunes at Napeague subject to the following conditions:
- (a) An easement in favor of the Trustees of the Freeholders and Commonalty of the Town of East Hampton of undefined width and location suitable for vehicular and pedestrian ingress and egress by the public to and from the beach of the Atlantic Ocean through the existing natural gap in the dunes in the same manner as said gap is presently utilized. This existing natural gap in the dune shall not be altered or modified, filled or disturbed in any way without the written consent of the Trustees of the Freeholders and Commonalty of the Town of East Hampton, upon a duly authorized public hearing by said Board of Trustees.
- (b) Except as set forth in paragraph 6(a) above the use of such Reserved Area shall be in accordance with such rules and regulations as may be promulgated and amended from time to time by the Declarants or by a Property Owners' Association to whom Declarants may have conveyed such areas.
- (c) These rights to use the Reserved Areas may not be assigned except as an appurtenance of title to a lot or lots on the filed map. The owners of such lots, however, shall have the right to extend the privileges herein contained to their immediate families, guests visiting them and tenants and their families and guests.
 - (d) Statutes, ordinances, rules and regulations of any

Marine Blvd prior to time of dedication to the Town of East Hampton. Freeholders and Commonalty of the Town of East Hampton, for the benefit and use of all of the inhabitants of the Town of East Hampton, the right to harvest beach plums and cranberries on all of the Reserve Areas appearing on the Map of Whaler's Cove, at all times, in perpetuity.

- g. The East Hampton Town Trustees shall have a twenty (20)-foot-wide right-of-way across the southernmost Reserve Area for purposes of motorized and non-motorized access to the beach. This right-of-way may be used solely by inhabitants of East Hampton Town. The road within said right-of-way need not be established unless and until, as a result of natural forces, a cut opens in the Reserve Area dune of sufficient width to provide access to the beach. Pending the establishment of said road, the inhabitants of the Town of East Hampton shall have the right to cross the proposed boardwalk within said Reserve Area, at all times, in perpetuity (or until establishment of said road), limited, however, to non-motorized access. Upon the establishment of said road, this right to cross the boardwalk shall terminate.
- 2. Subject to the rights hereby granted to the public through the Trustees of the Freeholders and Commonalty of the Town of East Hampton as set forth in Paragraph 1(f) hereof, Declarant shall transfer all of its rights, title and interest in and to the Reserve Areas referred to in Paragraph 1 above to the Town of East Hampton or to the Nature Conservancy or to a membership corporation made up of the then owners of the lots shown on the Map of Whaler's Cove, or some of them. This conveyance shall be subject to the following terms:



THE HOOK MILL
THE PART LING BLAND HULS USED
THE EARLY SETTLERS TO GRAD WHEAT CORN
THE OTHER GRAD, WILL IN 1800, IS STILL
THERATED, OPEN TO THE PUBLIC.

VILLAGE OF EAST HAMPTON

Settled 1648-Incorporated 1920

27 MAIN STREET

East Hampton, N.Y. 11987

516-324-4150

FAX 516-324-4189

OFFICE OF

VILLAGE ADMINISTRATOR



"HOME, SWEET HOME"
BIRTHPLACE OF JOHN HOWAHU PATHE
JUNE 9,1791-AND INSPIRATION OF
HIS FAMOUS SONG HOME, SWEET HOME!
MAINTAINED BY VILLAGE AS A MUSEUM

June 13, 1991

Mr. Henry C. Clifford P. O. Box 286 Wainscott, New York 11976

Dear Mr.Clifford:

The Board of Trustees has requested that I respond to your letter of June 6 as follows:

There currently exist five (5) major points of public access to the Village waterfront:

Two Mile Hollow Road Old Beach Lane Highway Behind the Pond Ocean Avenue Apaquogue Road

In addition, Cove Hollow Road and Montauk Highway provide access to Georgica Pond, however limited.

The parking area that I believe you refer to off of West End Road that the Village opened some years ago created a firestorm of protest that the Board does not wish to revisit.

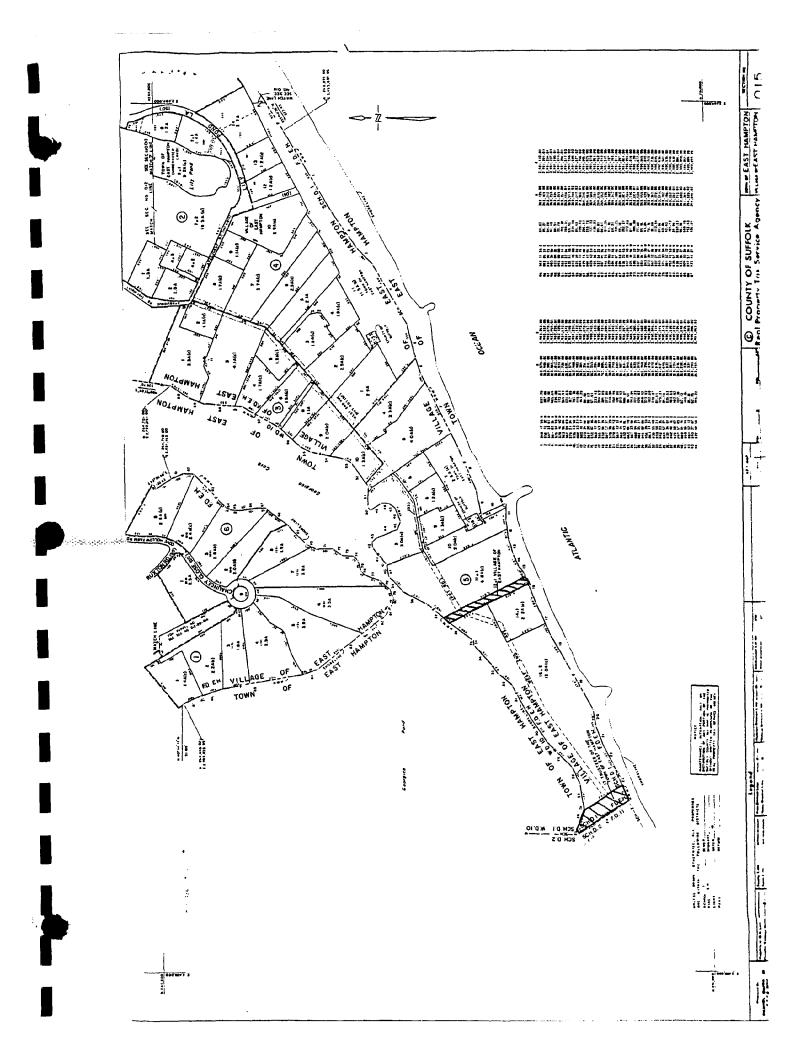
The Board requested that I offer the Village's cooperation in your Planning Departments waterfront access study and we would be pleased to do so if requested.

Very truly yours,

LARRY CANTWELL Village Administrator

LC:ebf

CC: Board of Trustees



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